

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
HAZARDOUS WASTE MANAGEMENT PERMIT

RECEIVED

MAY 19 1993

Name of Permittee: Safety-Kleen Corporation

EPA-806
PERMIT SECTION

Facility Name: Pekin Service Center

Facility Location: Street Address: RR #3

City, State: Pekin, Illinois 61544

EPA Identification Number: ILD 093 862 811

Effective Date: (35 days after signature)

Expiration Date: (10 years after the effective date)

Authorized Activities:

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984 (42 U.S.C. §6901, et seq.), and regulations promulgated thereunder by the United States Environmental Protection Agency (U.S. EPA) (codified in Title 40 of the Code of Federal Regulations (40 CFR)), Federal permit conditions (hereinafter called the permit) of the RCRA permit are issued to Safety-Kleen Corporation, Pekin Service Center (hereinafter called the Permittee), for the facility located in Pekin, Illinois.

The RCRA permit contains both the effective Federal permit conditions (contained herein) and the effective State permit conditions issued by the State of Illinois RCRA program authorized under 40 CFR Part 271 (hereinafter called the State permit). When both this permit and the State permit are effective, the Permittee has an effective RCRA permit which authorizes the Permittee to conduct hazardous waste management activities as specified in the RCRA permit.

Permit Approval:

On January 31, 1986, the State of Illinois received final authorization pursuant to Section 3006 of RCRA, 42 U.S.C. §6926, and 40 CFR Part 271, to administer the pre-HSWA RCRA hazardous waste program. On April 30, 1990, the State of Illinois also received authorization to administer certain specific portions of the hazardous waste program required under HSWA. Because the State of Illinois has not yet received authorization to administer the entire hazardous waste program requirements of HSWA, certain permit conditions must be issued by the U.S. EPA to address these requirements. These conditions are contained in this permit.

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein (including those in any attachments) and the applicable regulations contained in 40 CFR Parts 260, 261, 262, 264, 266, 268, 270, and 124, and applicable provisions of HSWA.

This permit is based on the assumption that the information submitted in the permit application, dated October 15, 1990, and in any subsequent amendments (hereinafter referred to as the application), is accurate. Any inaccuracies found in this information may be grounds for the termination, revocation and reissuance, or modification of this permit (see 40 CFR 270.41, 270.42 and 270.43) and potential enforcement action. The Permittee must inform the U.S. EPA of any deviation from or changes in the information in the submitted application as soon as the Permittee becomes aware of such deviation or changes.

Opportunity to Appeal:

Petitions for review must be submitted within 30 days after service of notice of the final permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may petition for administrative review only to the extent of the changes from the draft to the final permit decision. The procedures for permit appeals are found in 40 CFR 124.19.

Effective Date:

The RCRA permit is effective when both this permit and the State permit are effective. This permit is effective as of the effective date specified on the previous page, unless a review is requested under 40 CFR 124.19. The permit shall remain in effect until the expiration date, unless revoked and reissued, or terminated (40 CFR 270.41 and 270.43), or continued in accordance with 40 CFR 270.51.

By: _____
Norman R. Niedergang
Acting Associate Division Director
Office of RCRA
Waste Management Division

Date: _____

ILD 093 862 811

**Safety Kleen Service Center
Pekin, Illinois**

PERMIT INDEX

PERMIT CONDITIONS:

- I. Standard Conditions
- II. Land Disposal Requirements
- III. Toxicity Characteristic
- IV. Air Emission Standards
- V. Schedule of Compliance

PERMIT CONDITIONS

(Note: The regulatory citations in parentheses are incorporated by reference.)

I. STANDARD CONDITIONS

A. EFFECT OF PERMIT (40 CFR 270.4 and 270.30(g))

The Permittee is allowed to manage hazardous waste in accordance with the conditions of the RCRA permit. Any management of hazardous waste not authorized in the RCRA permit is prohibited.

Compliance with the RCRA permit during its term constitutes compliance, for the purposes of enforcement, with Subtitle C of RCRA, except for those requirements not included in the permit which become effective by statute, or which are promulgated under 40 CFR Part 268, restricting the placement of hazardous waste in or on the land. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. §9601 et seq., commonly known as CERCLA); or any other law providing for protection of public health or the environment.

B. PERMIT ACTIONS (40 CFR 270.30(f))

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 270.41, 270.42, and 270.43. This permit may also be reviewed and modified by the U.S. EPA, consistent with 40 CFR 270.41, to include any terms and conditions determined necessary to protect human health and the environment pursuant to Section 3005(c)(3) of RCRA. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes, or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. The Permittee shall not perform any construction associated with a Class 3 permit modification request until such modification request is approved and the modification becomes effective.

C. SEVERABILITY (40 CFR 124.16)

The provisions of this permit are severable, and if any provision of this permit, or if the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

D. DUTIES AND REQUIREMENTS

1. Duty to Comply. (40 CFR 270.30(a))

The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit (See 40 CFR 270.61). Any permit noncompliance, other than noncompliance authorized by an emergency permit, constitutes a violation of RCRA and HSWA and is grounds for enforcement action, permit termination, revocation and reissuance, modification, denial of a permit renewal application, or other appropriate action.

2. Duty to Reapply. (40 CFR 270.30(b) and 270.10(h))

The Permittee shall submit a complete application for a new permit at least 180 days before this permit expires unless: a) the Permittee no longer wishes to operate a hazardous waste management facility; b) the Permittee is no longer required to have a RCRA permit; or c) permission for a later date has been granted by the Regional Administrator. The Regional Administrator shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

3. Permit Expiration. (40 CFR 270.13, 270.14, 270.50, and 270.51)

This permit and all conditions herein shall be effective for a fixed term not to exceed 10 years, and will remain in effect beyond the permit's expiration date only if the Permittee has submitted a timely, complete application (per 40 CFR 270.10 and applicable sections of 270.14 through 270.29): a) to both the U.S. EPA and the State; and b) through no fault of the Permittee, the Regional Administrator and the State have not issued a new permit, as set forth in 40 CFR 270.51.

4. Need to Halt or Reduce Activity Not a Defense. (40 CFR 270.30(c))

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

5. Duty to Mitigate. (40 CFR 270.30(d))

In the event of releases or noncompliance with the permit, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health and the environment.

6. Proper Operation and Maintenance. (40 CFR 270.30(e))

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality control/quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

7. Duty to Provide Information. (40 CFR 270.30(h) and 264.74)

The Permittee shall furnish to the Regional Administrator, within the time designated by the Regional Administrator, any relevant information which the Regional Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Regional Administrator, upon request, copies of records required to be kept by this permit.

8. Inspection and Entry. (40 CFR 270.30(i))

The Permittee shall allow the Regional Administrator, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor, at reasonable times, for the purposes of assuring permit compliance, or as otherwise authorized by RCRA, any substances or parameters at any location.

9. Monitoring and Recordkeeping. (40 CFR 270.30(j), 270.31, 264.73, and 264.74)

The Permittee shall retain all reports, records, or other documents, required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the reports, records or other documents. These periods may be extended by request of the Regional Administrator at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.

10. Reporting Planned Changes. (40 CFR 270.30(1)(1))

The Permittee shall give notice to the Regional Administrator of any planned physical alterations or additions to the permitted facility, as soon as possible, and at least 30 days before construction of such alteration or addition is commenced.

11. Anticipated Noncompliance. (40 CFR 270.30(1)(2))

The Permittee shall give advance notice to the Regional Administrator of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Such notice does not constitute a waiver of the Permittee's duty to comply with permit requirements.

12. Transfer of Permits. (40 CFR 270.30(1)(3), 270.40(a), and 264.12(c))

This permit may be transferred by the Permittee to a new owner or operator only after providing notice to the Regional Administrator and only if the permit is modified, or revoked and reissued, pursuant to 40 CFR 270.40(b), 270.41(b)(2), or 270.42(a). Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264, 268, and 270 (including all applicable corrective action requirements), and shall provide a copy of the RCRA permit to the new owner or operator.

13. Compliance Schedules. (40 CFR 270.30(1)(5) and 270.33)

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted to the Regional Administrator no later than 14 days following each scheduled date.

14. Twenty-four Hour Reporting. (40 CFR 270.30(1)(6) and 270.33)

The Permittee shall report to the Regional Administrator any noncompliance with this permit which may endanger human health or the environment. Any such information shall be reported orally within 24 hours from the time the Permittee becomes aware of the circumstances. This report shall include the following:

- a. Information concerning the release of any hazardous waste which may endanger public drinking water supplies; and
- b. Information concerning the release or discharge of any hazardous waste, or of a fire or explosion at the facility, which could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall include:
 - (1) Name, address, and telephone number of the owner or operator;
 - (2) Name, address, and telephone number of the facility;
 - (3) Date, time, and type of incident;
 - (4) Name and quantity of material(s) involved;
 - (5) The extent of injuries, if any;
 - (6) An assessment of actual or potential hazard to the environment and human health outside the facility, where this is applicable; and
 - (7) Estimated quantity and disposition of recovered material that resulted from the incident.

A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period(s) of noncompliance (including exact dates and times); steps taken to minimize impact on the environment; whether the noncompliance has been corrected, and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Permittee need not comply with the 5-day written notice requirement if the Regional Administrator waives the requirement. Upon waiver of the 5-day requirement, the Permittee shall submit a written report within 15 days of the time the Permittee becomes aware of the circumstances.

15. Other Noncompliance. (40 CFR 270.30(1)(10))

The Permittee shall report all other instances of noncompliance not otherwise required to be reported above within 15 days of when the Permittee becomes aware of the noncompliance. The reports shall contain the information listed in Condition I.D.14.

16. Other Information. (40 CFR 270.30(1)(11))

Whenever the Permittee becomes aware that it failed to submit any ~~relevant facts, or submitted incorrect information~~ to the Regional Administrator in the permit application or in any reports, records, or other documentation provided to the Regional Administrator, the Permittee shall promptly submit such facts or information.

17. Submittal of Reports or Other Information. (40 CFR 270.30(1)(7), (8), and (9), and 270.31)

All reports or other information required to be submitted pursuant to this permit shall be sent to:

RCRA Permitting Branch, HRP-8J
Waste Management Division
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Attention: Illinois Section

18. All other requirements contained in RCRA, as amended, and in 40 CFR 270.30 not set forth herein are hereby fully incorporated in this permit.

E. SIGNATORY REQUIREMENT (40 CFR 270.30(k))

All reports or other information submitted to or requested by the Regional Administrator, his designee, or authorized representative, shall be signed and certified as required by 40 CFR 270.11.

F. CONFIDENTIAL INFORMATION

In accordance with 40 CFR 270.12 and 40 CFR Part 2, Subpart B, any information submitted to the U.S. EPA pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or, in the case of other submissions, by marking the words "Confidential Business Information" on each page containing such information. If no claim is made at time of submission, the U.S. EPA may make the information available to the public without further notice. If a claim is

asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2.

G. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, all items required by 40 CFR 264.73, including the following documents and all amendments, revisions, and modifications to these documents:

1. Waste Analysis Plan, as required by 40 CFR 264.13 and this permit;
2. Operating Record, as required by 40 CFR 264.73 and this permit;
3. Notifications from generators accompanying each incoming shipment of wastes subject to 40 CFR Part 268, Subtitle C, that specify treatment standards, as required by 40 CFR 264.73, 268.7, and this permit; and
4. Records regarding closed-vent systems and control devices and/or equipment leaks as required by 40 CFR 264.1035, 264.1064, and 264.73, and Condition IV.C. of this permit.

II. LAND DISPOSAL REQUIREMENTS

A. GENERAL CONDITIONS

1. The Permittee shall comply with all the applicable self-implementing requirements of 40 CFR Part 268 and all applicable land disposal requirements which become effective by statute (Section 3004 of RCRA).
2. A mixture of any restricted waste with nonrestricted waste(s) is a restricted waste under 40 CFR Part 268.
3. The Permittee shall not in any way dilute a restricted waste or the residual from treatment of a restricted waste as a substitute for adequate treatment to achieve compliance with 40 CFR Part 268, Subpart D, to circumvent the effective date of a prohibition in 40 CFR Part 268, Subpart C, to otherwise avoid a prohibition in 40 CFR Part 268, Subpart C, or to circumvent a land disposal prohibition imposed by Section 3004 of RCRA.
4. The Permittee shall prepare and maintain a current list of the hazardous waste codes handled by the facility that are identified in 40 CFR 268, Subparts B and C. The list shall include all waste codes handled by the facility, and any associated treatment standards, and shall be updated through the inclusion of new treatment standards, as promulgated or amended. This list shall be provided to the U.S. EPA representatives, or their designees, upon request.

B. TESTING AND RELATED REQUIREMENTS

1. The Permittee must test, in accordance with 40 CFR 268.7(a), any waste generated at the facility, or use knowledge of the waste, to determine if the waste is restricted from land disposal.
2. For restricted wastes with treatment standards expressed as concentrations in the waste extract, as specified in 40 CFR 268.41, the Permittee shall test the wastes or waste treatment residues, or extracts of such residues developed using the test methods described in Appendix II of 40 CFR Part 261 (Toxicity Characteristic Leaching Procedure, or TCLP) to assure that the wastes or waste treatment residues or extracts meet the applicable treatment standards of 40 CFR Part 268, Subpart D. Such testing shall be performed as required by 40 CFR 264.13.
3. A restricted waste for which a treatment technology is specified under 40 CFR 268.42(a) may be land disposed after it is treated using that specified technology or an equivalent treatment method approved by the Administrator under the procedures set forth in 40 CFR 268.42(b).
4. For restricted wastes with treatment standards expressed as concentrations in the waste, as specified in 40 CFR 268.43, the Permittee shall test the wastes or waste treatment residues (not extracts of such residues) to assure that the wastes or waste treatment residues meet the applicable treatment standards of 40 CFR Part 268, Subpart D. Such testing shall be performed as required by 40 CFR 264.13.
5. The Permittee shall comply with all the applicable notification, certification, and recordkeeping requirements described in 40 CFR 268.7(a) and (b).

C. STORAGE PROHIBITIONS

1. The Permittee shall comply with all the applicable prohibitions on storage of restricted wastes specified in 40 CFR Part 268, Subpart E.
2. Except as otherwise provided in 40 CFR 268.50, the Permittee may store restricted wastes in tanks and containers solely for the purpose of the accumulation of such quantities of hazardous wastes as necessary to facilitate proper recovery, treatment, or disposal provided that:
 - a. Each container is clearly marked to identify its contents and the date each period of accumulation begins; and
 - b. Each tank is clearly marked with a description of its contents, the quantity of each hazardous waste received, and the date each period of accumulation begins, or such information for each tank is recorded and maintained in the operating record at that facility.

3. The Permittee may store restricted wastes for up to 1 year unless the U.S. EPA or its authorized agent can demonstrate that such storage was not solely for the purpose of accumulating such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment or disposal.
4. The Permittee may store restricted wastes beyond 1 year; however, the Permittee bears the burden of proving that such storage was solely for the purpose of accumulating such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment or disposal.
5. The Permittee shall not store any liquid hazardous waste containing polychlorinated biphenyls (PCBs) at concentrations greater than or equal to 50 ppm unless the waste is stored in a storage facility that meets the requirements of 40 CFR 761.65(b). This waste must be removed from storage and treated or disposed as required by 40 CFR Part 268 within 1 year of the date when such wastes are first put into storage. Condition II.C.4. above, that allows storage for over 1 year with specified demonstration, does not apply to PCB wastes prohibited under 40 CFR 268.32.

III. TOXICITY CHARACTERISTIC

A. WASTE IDENTIFICATION

The Permittee may store the following wastes in the designated units subject to all of the terms and conditions of the RCRA permit (including all federal and State permit conditions):

<u>Description of Hazardous Waste</u>	<u>EPA Hazardous Waste Number</u>	<u>Description of Units</u>
Spent parts washer solvent wastes	D004 - D043	20,000-gallon aboveground storage tank, or waste storage shelter
Immersion cleaner	D004 - D043	Drums in container storage area
Paint wastes	D004- D043	Drums in waste storage shelter
Dry cleaning wastes	D004 - D043	Drums in container storage area or waste storage shelter
Spent antifreeze	D004 - D043	10,000-gallon aboveground storage tank, or in 30 or 55-gallon drums in container storage area

B. WASTE CHARACTERIZATION

The Permittee must use the Toxicity Characteristic Leaching Procedure (TCLP) (Appendix II of 40 CFR Part 261), or use knowledge of the waste to determine whether a waste exhibits the characteristic of toxicity, as defined in 40 CFR 261.24. Use of the TCLP does not exempt the Permittee from also using the Extraction Procedure (EP) toxicity test if required by the State permit conditions.

C. CONDITIONS REGARDING UNITS

All units described in Condition III.A. above shall be operated in accordance with the State permit conditions pertaining to those units.

IV. AIR EMISSION STANDARDS

A. PROCESS VENTS

The Permittee shall comply with all applicable requirements of 40 CFR Part 264, Subpart AA, regarding air emission standards for process vents.

B. EQUIPMENT LEAKS

The Permittee shall comply with all applicable requirements of 40 CFR Part 264, Subpart BB, regarding air emission standards for equipment leaks.

C. RECORDKEEPING

The Permittee shall comply with all applicable recordkeeping and reporting requirements described in 40 CFR 264.1035, 264.1036, 264.1064, and 264.1065.

D. NOTIFICATION OF REGULATED ACTIVITY

The Permittee shall notify the Regional Administrator of any waste management units which become subject to the requirements of 40 CFR Part 264, Subparts AA and BB, within 30 days of startup of the regulated activity.

E. DUTY TO COMPLY WITH FUTURE REQUIREMENTS

The Permittee shall comply with all self-implementing provisions of any future air regulations promulgated under the provisions of Section 3004(n) of RCRA, as amended by HSWA.

**RESPONSE TO COMMENTS REGARDING THE RESOURCE CONSERVATION AND
RECOVERY ACT (RCRA) HAZARDOUS WASTE MANAGEMENT PERMIT
ISSUED TO SAFETY-KLEEN CORPORATION - PEKIN SERVICE CENTER
PEKIN, ILLINOIS
ILD 093 862 811**

INTRODUCTION

This response is issued pursuant to Title 40 of the Code of Federal Regulations (40 CFR) Section 124.17, which requires that any change(s) of draft permit conditions be specified along with the reason for the change(s); that all significant comments be described and responded to; and that any documents cited in the response be included within the administrative record.

Comments concerning the draft Federal portion of the RCRA permit were received from Safety-Kleen Corporation - Pekin Service Center, during the 45-day comment period. A request for a hearing was not received. The public comment period commenced on June 23, 1993, with a public notice in the Pekin Times. The notice requested public comments on the draft permit conditions for Safety-Kleen Corporation - Pekin Service Center, in Pekin, Illinois, and notified the public that a hearing could be requested to clarify any issues regarding the draft permit. During the public comment period, copies of the permit application, Federal and State draft permits, and Fact Sheets were kept at the Pekin Public Library, 301 South 4th Street, Pekin, Illinois 61801. The termination date of the public comment period was August 7, 1993.

CHANGES TO THE PERMIT

Comment: Safety-Kleen Pekin Service Center requested that waste codes D001, F002, F003, F004, F005 be added to the EPA Hazardous Waste Number, and that the waste storage shelter and 30-gallon drums be added to the Description of Units, as identified in Permit Condition III.A. to reflect the units and codes managed at the Pekin facility.

Response: The waste identification list under Permit Condition III.A. lists TC waste codes for which the Illinois Environmental Protection Agency (IEPA) has not received authorization to administer. The IEPA has authorization to administer the waste codes D001, F002, F003, F004, F005. Therefore, these waste codes will not be listed in the Federal portion of the permit. The waste storage shelter and the 30-gallon drums will be incorporated into the Description of Units.

DETERMINATION

Based on a full review of all relevant data provided to the U.S. EPA, the U.S. EPA has determined that the final permit contains such terms and conditions necessary to protect human health and the environment.

§ 124.19 Appeal of RCRA, UIC, and PSD permits.

(a) Within 30 days after a RCRA, UIC, or PSD final permit decision (or a decision under § 270.29 to deny a permit for the active life of a RCRA hazardous waste management facility or unit) has been issued under § 124.15, any person who filed comments on that draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may petition for administrative review only to the extent of the changes from the draft to the final permit decision. The 30-day period within which a person may request review under this section begins with the service of notice of the Regional Administrator's action unless a later date is specified in that notice. The petition shall include a statement of the reasons supporting that review, including a dem-

onstration that any issues being raised were raised during the public comment period (including any public hearing) to the extent required by these regulations and when appropriate, a showing that the condition in question is based on:

(1) A finding of fact or conclusion of law which is clearly erroneous, or

(2) An exercise of discretion or an important policy consideration which the Environmental Appeals Board should, in its discretion, review.

(b) The Environmental Appeals Board may also decide on its initiative to review any condition of any RCRA, UIC, or PSD permit issued under this part. The Environmental Appeals Board must act under this paragraph within 30 days of the service date of notice of the Regional Administrator's action.

(c) Within a reasonable time following the filing of the petition for review, the Environmental Appeals Board shall issue an order granting or denying the petition for review. To the extent review is denied, the conditions of the final permit decision become final agency action. Public notice of any grant of review by the Environmental Appeals Board under paragraph (a) or (b) of this section shall be given as provided in § 124.10. Public notice shall set forth a briefing schedule for the appeal and shall state that any interested person may file an amicus brief. Notice of denial of review shall be sent only to the person(s) requesting review.

(d) The Environmental Appeals Board may defer consideration of an appeal of a RCRA or UIC permit under this section until the completion of formal proceedings under subpart E or F relating to an NPDES permit issued to the same facility or activity upon concluding that:

(1) The NPDES permit is likely to raise issues relevant to a decision of the RCRA or UIC appeals;

(2) The NPDES permit is likely to be appealed; and

(3) *Either:* (i) The interests of both the facility or activity and the public are not likely to be materially adversely affected by the deferral; or

(ii) Any adverse effect is outweighed by the benefits likely to result from a consolidated decision on appeal.

(e) A petition to the Environmental Appeals Board under paragraph (a) of this section is, under 5 U.S.C. 704, a prerequisite to the seeking of judicial review of the final agency action.

(f)(1) For purposes of judicial review under the appropriate Act, final agency action occurs when a final RCRA, UIC, or PSD permit is issued or denied by EPA and agency review procedures are exhausted. A final permit decision shall be issued by the Regional Administrator:

(i) When the Environmental Appeals Board issues notice to the parties that review has been denied;

(ii) When the Environmental Appeals Board issues a decision on the merits of the appeal and the decision does not include a remand of the proceedings; or

(iii) Upon the completion of remand proceedings if the proceedings are remanded, unless the Environmental Appeals Board's remand order specifically provides that appeal of the remand decision will be required to exhaust administrative remedies.

(2) Notice of any final agency action regarding a PSD permit shall promptly be published in the FEDERAL REGISTER.

(g) Motions to reconsider a final order shall be filed within ten (10) days after service of the final order. Every such motion must set forth the matters claimed to have been erroneously decided and the nature of the alleged errors. Motions for reconsideration under this provision shall be directed to, and decided by, the Environmental Appeals Board. Motions for reconsideration directed to the administrator, rather than to the Environmental Appeals Board, will not be considered, except in cases that the Environmental Appeals Board has referred to the Administrator pursuant to § 124.2 and in which the Administrator has issued the final order. A motion for reconsideration shall not stay the effective date of the final order unless specifically so ordered by the Environmental Appeals Board.



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

USEPA

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/524-3300

June 22, 1993

Safety-Kleen Corporation
1000 N. Randall Road
Elgin, Illinois 60123

Safety-Kleen Corporation
Pekin Service Center
Rural Route 3
Pekin, Illinois 61554

Re: 1790600011 -- Tazewell County
Safety-Kleen Corporation
ILD093862811
RCRA Permit Log No. 96
RCRA Part B -- Administrative Record

Gentlemen:

Enclosed is a draft RCRA Hazardous Waste Management Part B permit and fact sheet. The draft permit decision is based on the administrative record contained in the Agency's files. The contents of the administrative record are described in 35 Illinois Administrative Code (IAC) Section 705.144.

This draft permit is divided into two permits: A RCRA permit issued by IEPA and a Hazardous Waste Management Permit issued by USEPA. The USEPA permit generally contains only those provisions and conditions raised pursuant to the Hazardous and Solid Waste Amendments of 1984 to RCRA (HSWA). The IEPA permit also enforces portions of HWSA where IEPA has authority to do so. Read both documents carefully. Failure to meet any portion of either permit could result in civil and/or criminal penalties.

Under the provisions of 35 Illinois Adm. Code 705.141(d), the draft permit and administrative record must be publicly noticed and made available for public comment. The Agency must also provide an opportunity for a public hearing. Copies of the draft decision and fact sheet are available for review at the Pekin Public Library, 301 South Fourth Street, Pekin, Illinois. The Agency has not scheduled a public hearing at the current time. However, any interested party may request a public hearing. The public comment period will close on August 7, 1993.

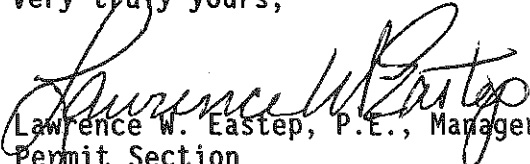
During the comment period, the applicant or any interested party may submit comments to the Agency on the draft permit. At the close of the comment period, the Agency will prepare a response to significant comments. Comments on the draft permit may be submitted to Brad Frost.

The Agency will issue a final permit after the closure of the public comment period unless the Agency decides to reserve the tentative decision. The appeal process and limitations are addressed in 35 Illinois Adm. Code 705.212.

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If you have any questions concerning this draft permit, please contact Ron Harmon at 217/524-3300. If you intend to seek review of the USEPA issued permit, please contact USEPA, Region V -- Eda Lam at 312/353-4889 concerning the applicable review procedures.

Very truly yours,


Lawrence W. Eastep, P.E., Manager
Permit Section
Division of Land Pollution Control

LWE:RH:sf/sp/451Y,1-2

Attachments: Draft Permit, Fact Sheet

cc: USEPA Region V, George Hamper, w/attachments

Fact Sheet
RCRA Hazardous Waste Management Permit
Safety Kleen Corporation, Pekin Service Center, Pekin, Illinois
ILD093862811
State I.D. No. 1790600011

This fact sheet has been prepared pursuant to the requirements of Title 35, Illinois Administrative Code, Section 705.143. The fact sheet is intended to be a brief summary of the principal facts and significant factual, legal, methodological and policy questions considered in preparing a draft RCRA permit. The proposed permit will allow Safety Kleen Corporation, as owner and operator of the facility, to store and treat hazardous waste. Pursuant to 35 IAC, 705.143(a), this fact sheet is sent to the applicant and to any other person who requests it.

I. INTRODUCTION

The permit application cited herein is the application submitted to the Agency, December 4, 1990 by PRC Environmental Management, Inc. Additional revisions were received in response to Notices of Deficiencies (NOD).

Notice

January 30, 1991
July 18, 1991
April 27, 1992

Response

May 2, 1991
August 21, 1991
June 1, 1992
February 26, 1993

The draft permit for the Pekin Service Center contains all of the standard conditions required by 35 IAC, Parts 702, 703 and 724; and the applicable conditions of 35 IAC, Part 724 for the storage of hazardous waste in containers and tanks. The Pekin Service Center is an existing facility that has been operating under interim status since April 1, 1976.

II. DESCRIPTION OF FACILITY

A. General

The Pekin Service Center stores organic chemicals and solvent wastes from industrial and commercial facilities. These wastes are accumulated on site until a sufficient volume is present for a shipment to one of several of Safety Kleen's regional recycle centers. Wastes accepted include parts cleaner wastes, dry cleaning wastes, paint wastes, spent antifreeze, waste oil, and fluid recovery service wastes (hazardous wastes that remain on site for less than ten days). The facility has been in operation as a hazardous waste storage facility since April 1, 1976. The facility includes two hazardous waste container storage areas and two hazardous waste tanks.

B. Site Description

The facility is located on approximately 2.4 acres of land and is located two miles south of Pekin, Tazewell County, Illinois on VFW Road, which turns east from Route 29 about 1/3 mile south of Powerton Road. The address of the facility is:

Safety-Kleen Corp., Pekin Service Center
R.R. #3
Pekin, Illinois 61554

III. HAZARDOUS WASTE MANAGEMENT ACTIVITIES**A. Containers**

There are two container storage areas at this site. These areas are depicted in Exhibit B-5 of the approved application. Both areas are provided with secondary containment to contain and control spills and leaks. A maximum of 4,728 gallons of non-ignitable waste may be stored in the warehouse container storage area, and a maximum of 2,184 gallons of waste may be stored in the flammable waste storage shelter. New formula immersion cleaner waste, dry cleaning wastes (filter powder and spent filter cartridges), and spent antifreeze are stored in the warehouse container storage area. Paint waste, mineral spirit dumpster sediment, old formula immersion cleaner, and dry cleaning wastes may be stored in the flammable waste storage shelter. Analytical data for all of these wastes is identified in Exhibit C of the approved permit application. Permit conditions in Section I of the permit are specific to container storage and implement the regulatory requirements of 35 IAC 724, Subpart I.

B. Tank Systems

Two aboveground tanks will be used to store hazardous waste. The tanks will be located within secondary containment to contain and control leaks and spills. A maximum of 19,000 gallons of spent mineral spirits will be stored in northwest tank of the 4-pack tank farm, and a maximum of 9,500 gallons of spent antifreeze will be stored in the 10,000 gallon horizontal tank. Analytical data for these wastes is identified in Exhibit C of the approved permit application. Permit conditions in Section II of the permit are specific to the individual tanks and implement the regulatory requirements of 35 IAC 724, Subpart J.

C. Standard Permit Conditions

Standard permit conditions 1 to 62 are regulatory requirements of 35 IAC Parts 702, 703 and 724. These conditions are of a general nature and applicable to all hazardous waste management facilities regulated pursuant to an IEPA RCRA permit. These conditions include the effectiveness of the permit, permit actions, severability, permit expiration, monitoring and retention of records, transfer of permits, and compliance schedules.

IV. CONSIDERED PERMIT ACTIONS OTHER THAN RCRA

A. Air

The air emissions from hazardous waste management facilities are regulated under RCRA, the Clean Air Act (CAA), the Illinois Environmental Protection Act and the Illinois Pollution Control Board rules and regulations in Title 35 Ill. Adm. Code, Subtitle B: Air Pollution. Under these regulations the facility is required to obtain a permit to install or operate any process which is or may be a source of air pollutants. Air emissions from the process areas and tanks are regulated by the Division of Air Pollution Control of this Agency. The permit issued to regulate these sources is 179801AAV.

B. Water

An NPDES permit is not currently required at this facility because there are no discharges to a receiving stream. No process waters may be discharged from this facility until such time Safety Kleen obtains the appropriate permits from the Agency's Bureau of Water.

V. PROCEDURES FOR REACHING A FINAL DECISION

Pursuant to 35 IAC 705.162(a)(2), the public is given at least forty-five (45) days to review the application and comment on the draft permit conditions prior to IEPA taking any final permitting action on the application for this RCRA Hazardous Waste Management Permit. The comment period will begin on the date of first publication of the public notice in a major local newspaper of general circulation. The comment period will end on August 7, 1993. When the Agency makes its final permit decision, notice will be given to the applicant and each person who has submitted written comments or requested notice of the final permit decision. The permit will become effective thirty-five (35) days after service of notice of the decision or at a later date if stated in the permit.

In addition, copies of the application draft permit and fact sheet will be available for review at other locations to be identified in the Public Notice.

Any interested person may submit written comments on the draft permit, at the following address:

Illinois Environmental Protection Agency
Government and Community Affairs Section, Director's Office
Attention: RCRA Public Notice Clerk
Post Office Box 19276
Springfield, Illinois 62794-9276

The administrative record is open for public inspection at the IEPA Springfield headquarters from 8:30 a.m. to 5:00 p.m., Monday through Friday. The administrative record contains the Permit application, fact sheet, and other supporting documents and correspondence submitted to the IEPA. Inspections of the administrative record must be submitted in advance by contacting the Public Notice Clerk at the above address.

A public hearing has not been scheduled at this time. In response to requests, or at the discretion of the Agency, a public hearing may be held to clarify one or more of the issues concerning the permit application. A request for a public hearing must also be in writing and shall state the nature of the issues proposed in the hearing. Public notice will be issued (30) days before any public hearing.

For further information, please contact Brad Frost, Director's Office, Illinois Environmental Protection Agency at 2200 Churchill Road, Post Office Box 19276, Springfield, Illinois 62794-9276 or telephone at 217/785-8797.



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

RCRA Log 96 Part B

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

HAZARDOUS WASTE MANAGEMENT RCRA PART B PERMIT

IEPA #1790600011 -- Tazewell
USEPA ILD #093862811
Chicago/Safety-Kleen Corporation
Permit Log 96
RCRA -- Part B - Administrative Record

Issue Date:
Effective Date:
Expiration Date:

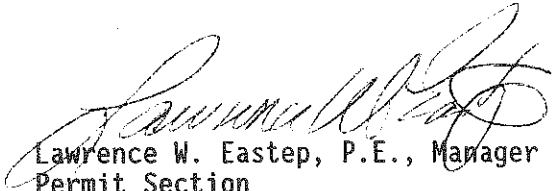
Safety-Kleen Corporation
1000 N. Randall Road
Elgin, Illinois 60123

Safety-Kleen Corporation
Pekin Service Center
R.R. #3
Pekin, Illinois 61554

A draft Part B permit is hereby proposed pursuant to the Resource Conservation and Recovery Act, Illinois Environmental Protection Act, and Title 35 Illinois Administrative Code (I.A.C.) parts 702, 703, 705, and 720 through 729 to Safety-Kleen to maintain and operate a waste management facility involved in the storage of hazardous waste. Safety-Kleen Corporation is located at R.R. #3 in Pekin, Illinois.

This draft permit consists of the conditions contained herein (including those in any attachments and appendices) and applicable regulations contained in the Illinois Environmental Protection Act and Title 35 I.A.C. Parts 702, 703, 705 and 720 through 729 in effect on the effective date of this permit. The Environmental Protection Act (Ill. Rev. Stat., Chapter 111 1/2, Section 1039) grants the Illinois Environmental Protection Agency the authority to impose conditions on permits which are issued. This Permit contains 97 pages including attachments A through G.

If you have any questions regarding this permit, please contact Ron Harmon at 217/524-3300.


Lawrence W. Eastep, P.E., Manager
Permit Section
Division of Land Pollution Control

LWE:MAS:sf/sp/451Y,7

RCRA Hazardous Waste Management Permit

Safety-Kleen Corporation

Pekin Service Center

ILD093862811

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ILD093862811

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DESCRIPTION OF FACILITY

The Pekin Service Center, owned and operated by Safety Kleen Corporation, stores organic chemicals and solvent wastes from industrial and commercial facilities. Wastes accepted include parts cleaner wastes, dry cleaning wastes, paint wastes, spent antifreeze, waste oil, and fluid recovery service wastes (hazardous wastes that remain on site for less than ten days). The facility is located two miles south of Pekin, Tazewell County, Illinois, on VFW Road, which turns east from Route 29 about 1/3 mile south of Powerton Road on approximately 2.4 acres. The facility address is R.R. #3, Pekin, Illinois, 61554.

Several hazardous waste management units exist at the facility. The units include:

1. A flammable waste storage shelter and a warehouse container storage area. Ignitable wastes are stored in the flammable waste storage shelter. Non-ignitable wastes are stored in the warehouse container storage area.
2. One 4-pack tank farm and one 10,000 gallon horizontal tank. Only the northwest tank in the 4-pack tank farm and the 10,000 horizontal tank are hazardous waste tanks. The northwest tank in the 4-pack tank farm is used to store waste mineral spirits. The 10,000 gallon horizontal tank is used to store spent antifreeze. The remaining three tanks are not subject to RCRA requirements. The southeast and southwest tanks in the 4-pack tank farm are used to store non-hazardous waste oil. The northwest tank in the 4-pack tank farm is used to store product mineral spirits.

SECTION I: CONTAINER STORAGE

A. SUMMARY

Containers are managed in the following units:

	<u>Status</u>	<u>Maximum Capacity</u>	<u>Dimensions</u>
Warehouse Storage Area	Existing	4728 gallons	100 ft x 160 ft
Flammable Waste Shelter	Existing	2184 gallons	15 ft x 20 ft

Containers of hazardous waste received at the facility for storage will arrive in either 5 gallon steel pails, 16 gallon drums (steel or polyethylene plastic), 30 gallon drums (steel or polyethylene plastic), 55 gallon steel drums, or 85 gallon overpacks. Containers in the storage area must be stored in a manner which is consistent with the NFPA requirements in Section 4.8 NFPA 30. Safety Kleen may accept containers which are of different sizes than those listed above in accordance with the following conditions:

1. The container is DOT approved;
2. The container is compatible with the waste;
3. The container is in good condition (not rusting or leaking);
4. The facility has the available equipment and experience to properly manage the containers.

B. WASTE IDENTIFICATION

1. All hazardous waste stored in containers shall be located in the warehouse container storage area or the flammable waste storage shelter. The locations of these storage areas are shown on Figure B-5 of the approved permit application.
2. A maximum of 4728 gallons may be stored in the warehouse container storage area, and a maximum of 2184 gallons of waste may be stored in the flammable waste storage shelter. The Permittee may store only new formula immersion cleaner waste, dry cleaning wastes (filter powder and spent filter cartridges), and spent antifreeze in the warehouse container storage area. The Permittee may only store paint wastes, mineral spirit, dumpster sediment, old formula immersion cleaner, and dry cleaning wastes in the flammable waste storage shelter. These wastes are identified in Section C-1 of the approved permit application and in Attachment A to this permit.

3. The Permittee is prohibited from storing a hazardous waste that has not been identified in Condition B.2 above.
4. The Permittee is prohibited from storing non-hazardous waste in the units identified in Condition B.2. above.
5. Wastes accepted for transfer shall not be placed in the storage units identified in Condition B.2 above. Transfer wastes may only stored in the two model 44 Class IB shelters or trailer truck for ten days or less.
6. Storage of hazardous transfer wastes for greater than ten days subjects the container storage unit to the regulatory requirements of 35 IAC 724, Subpart I. Such storage is only permitted under the following conditions:
 - a. The Safety Kleen Pekin facility is the receiving facility designated on the manifest.
 - b. The storage complies with 35 IAC 724 and the conditions of this permit.
7. Non-hazardous waste may only be placed in a unit permitted under 35 IAC 807.

C. CONDITION OF CONTAINERS

1. If a container holding waste is not in good condition (e.g., severe rusting, apparent structural defect, etc.) or if it begins to leak (this includes waste which appears on the outside of the drum/box but has not spread to the containment base or other containers), the Permittee must immediately transfer the waste from this container to a container that is in good condition or manage the waste in accordance with the approved permit application.
2. Any transfer of waste which was required to comply with I(C)(1), must be recorded in a separate log and maintained as part of the facilities operating record.
3. Packaging of all wastes accepted for storage in the container storage area shall meet the requirements of 49 CFR 172, 178 and 179 and all applicable D.O.T. and N.F.P.A. regulations. All containers must be marked and placarded in accordance with 49 CFR 172.
4. The contents of each container shall be clearly identified on the side of the container in accordance with 49 CFR 172 prior to being placed in the container storage area.

D. Compatibility of Waste With Containers

The Permittee must use a container made of or lined with material which will not react with and is otherwise compatible with the waste to be stored so that the ability of the container to contain the waste is not impaired.

E. Management of Containers

The Permittee shall comply with the following management practices:

1. A container holding waste must always be closed during storage, except when it is necessary to add or remove or sample waste.
2. An aisle space of two feet shall be maintained in the warehouse container storage area and flammable waste storage area. One foot shall be maintained between pallets, and six inches shall be maintained between the pallets and the walls.
3. Containers may be stacked provided that:
 - a. Only the same size or smaller containers are stacked on top of the containers beneath and;
 - b. Containers are separated by a pallet or other dunnage to provide stability and;
 - c. The stacking height does not exceed 6.5 feet.

F. Inspection

The Permittee shall inspect the container storage area weekly in accordance with the inspection schedule specified in Attachment B to this Permit. The inspection must be adequate to detect leaks and deterioration of containers and the containment systems caused by corrosion or other factors. The procedures described in the approved permit application must be used with the following modifications:

1. Action shall be taken to immediately overpack a leaking or deteriorating drum. Appropriate action to clean up any release of waste from a leaking or deteriorated drum shall be carried out immediately after the drum has been overpacked.
2. If a portion of the containment system is found to be in a deteriorated condition (cracks, gaps, spalling, failure of the coating, etc.) the Permittee shall immediately remove all waste containers from the deteriorated area until the containment system has been repaired.

3. The weekly inspection shall include checking aisle spacing, height of stacks and remaining capacity.
4. Results of all inspections and the activities undertaken to correct deficiencies shall be documented in the operating record for the facility.

G. Containment

The Permittee shall construct, operate and maintain the containment system according to the design plans and operating specifications contained in the Approved Permit Application, subject to the following modifications.

1. Safety Kleen shall perform a complete inspection of the surface coating yearly and perform annual maintenance to insure the integrity of the coating.

H. Special Requirements for Ignitable or Reactive Waste

1. The Permittee shall not accept reactive waste at the facility.
2. The Permittee shall not locate containers which hold ignitable waste within 50 feet of the facility's property line.
3. The Permittee shall take precautions to prevent accidental ignition or reaction of ignitable waste.
4. Ignitable wastes must be separated and protected from sources of ignition or reaction including but not limited to:
 - a. Open flames, smoking, cutting and welding, hot surfaces, frictional heat, sparks (e.g., static, electrical, or mechanical), spontaneous ignition (e.g., from heat producing chemical reactions), and radiant heat.
 - b. While ignitable waste is being handled, the Permittee must confine smoking and open flame to specially designated locations.
 - c. "No Smoking" signs must be conspicuously placed wherever there is a hazard from ignitable waste.

I. Special Requirements for Incompatible Waste

1. The Permittee shall not store containers holding a material that is incompatible with any waste or other materials stored nearby, unless separated from other waste/materials or protected from them by means of a dike, berm or other devices.

J. General Operating Requirements

The Permittee shall operate the container storage area in accordance with the approved permit application, subject to the following modifications:

1. The Permittee may receive hazardous waste for storage in containers provided the following requirements are met.
 - a. The material must be a waste which has been identified in Attachment A to this permit.
 - b. The waste must be analyzed in accordance with the approved waste analysis plan.
 - c. The facility must have a special waste stream permit or generic permit to receive the waste.
 - d. The waste must be accompanied by a properly completed Illinois manifest unless the generator is a conditionally exempt small quantity generator as defined in 35 IAC 721.105(a).
2. Cleanup of all spills inside the secondary containment areas must begin immediately upon discovery and be completed within 24 hours. Secondary containment must be inspected immediately after cleanup for cracks, gaps or other defects (failure of the coating) which would allow waste to migrate to the underlying soil. If any deterioration is discovered, the permittee shall immediately remove all waste from the deteriorated area.
3. The permittee shall remove any precipitation which accumulates in the secondary containment system within 24 hours of the time such accumulation is discovered.

K. Closure Requirements

At closure, all waste and waste residues must be removed from the containment system(s). Remaining containers, liners, bases and soil containing or contaminated with waste or waste residue must be decontaminated or removed. Closure of the container storage area(s) shall be carried out in accordance with the closure plan in the approved permit application, as modified below:

1. The permittee shall notify the Agency's Division of Land Pollution Control in writing of its intent to close the container storage area(s) at least 180 days prior to the date closure is expected to begin. Along with this notification, the Permittee shall submit the sampling and analysis plan to be used in demonstrating the storage area has been properly decontaminated. This plan shall be approved

by the Agency's Division of Land Pollution Control in writing prior to being implemented. Agency review of this plan will be subject to the permit appeal provisions contained in Sections 39(a) and 40(a) of the Environmental Protection Act. The response from the Agency shall approve and establish:

- a. The sampling plan;
 - b. What contaminants must be analyzed for; and
 - c. The level at which decontamination is considered complete.
2. The concrete surfaces shall be visually inspected, photographed, and all residue adhering to the surface must be removed by scraping and/or brushing, followed by steam cleaning and triple rinsing the concrete surfaces. All wash and rinse waste shall be collected and managed as a hazardous waste. The pad(s) must either be certified by an independent, registered, professional engineer that the surface has no cracks, gaps, or other defects which would allow waste to migrate through to the underlying soil or sampling shall be conducted to verify the underlying soil is uncontaminated.
 3. Sweepings collected during closure of the container storage area shall be managed as a hazardous waste. All washwater and rinsate generated during the closure of these units shall also be managed as a hazardous waste.
 4. The Permittee shall provide post-closure care in accordance with 35 IAC, Subtitle G, Part 724, for the container storage area(s) if all of the hazardous wastes or contaminated soils cannot be practicably removed or decontaminated in accordance with the closure requirements outlined in the permit and in the approved closure plan. If it is determined that the closure requirements cannot be met and post-closure care for the container storage area(s) is required, this Permit will be modified to require post-closure care of the container storage area(s) in accordance with 35 IAC, Subtitle G, Part 724, Subparts G and H.
 5. Should post-closure care, as described in Condition K.4 above, become necessary, the Permittee shall submit an application for modification to this permit, including an amended closure and post-closure care plan for this unit, within thirty (30) days following discovery that clean closure cannot be accomplished. If a determination is made to not pursue clean closure prior to the implementation of the closure plan for the container storage area, the modification request shall be made no later than sixty (60) days after the determination is made.

6. Financial assurance for closure and post-closure of the container storage area(s), if required in accordance with Condition K.4 and K.5 above, shall be provided within thirty (30) days following modification of the permit under the provisions of Condition K.5 above.
7. Within sixty (60) days after closure of the container storage area(s) is complete, the Permittee shall submit certification to the Agency that the unit has been closed in accordance with the approved closure plan.

The closure certification form in Attachment C to this permit or a certification with identical wording must be used. Signatures must meet the requirements of 35 Ill. Adm. Code, Section 702.126. The independent engineer should be present at all critical, major points (activities) during the closure. These might include soil sampling, soil removal, backfilling, final cover placement, etc. The frequency of inspections by the independent engineer must be sufficient to determine the adequacy of each critical activity. Financial assurance must be maintained for the container storage area until the Agency approves the closure certification for the unit. The Agency's review of closure certifications for partial or final closure will be conducted in accordance with 35 IAC 724.243.

A Closure Documentation Report is to be submitted with the closure certification which includes the following activities:

- a. The volume of waste and waste residue removed, including wastes resulting from decontamination activities;
 - b. A description of the method of waste handling and transport;
 - c. Copies of the waste manifests;
 - d. A description of the sampling and analytical methods used;
 - e. A chronological summary of closure activities and the cost involved;
 - f. Tests performed, methods and results; and
 - g. Color photographs of closure activities which document conditions before, during and after closure.
8. Under the provisions of 29 CFR 1910 (51 FR 15,654, December 19, 1986), cleanup operations must meet the applicable requirements of OSHA's Hazardous Waste Operations and Emergency Response standard. These requirements include hazard communication, medical

surveillance, health and safety programs, air monitoring, decontamination and training. General site workers engaged in activities that expose or potentially expose them to hazardous substances must receive a minimum of three days of actual field experience under the direct supervision of a trained experienced supervisor. Managers and supervisors at the cleanup site must have at least an additional eight hours of specialized training on managing hazardous waste operations.

9. If the Agency determines that implementation of this closure plan fails to satisfy the requirements of 35 Ill. Adm. Code, Section 724.211, the Agency reserves the right to amend the closure plan. Revisions of closure plans are subject to the appeal provisions of Section 40 of the Illinois Environmental Protection Act.
10. Please be advised that the requirements of the Responsible Property Transfer Act (Public Act 85-1228) may apply to your facility due to the management of RCRA hazardous waste. In addition, please be advised tht if you store on-site generated hazardous waste in containers or tanks pursuant to 35 IAC 722.134, those units are subject to the closure requirements identified in 35 IAC 722.134(a)(1).

SECTION II: TANK SYSTEMS

A. SUMMARY

The storage tanks at the Pekin Service Center are used for a variety of purposes, including product storage, hazardous waste storage and waste oil storage. Of these uses, the storage of hazardous waste is the only use that is regulated under RCRA. Associated with this activity are these two existing above ground tanks. All above ground tank areas have secondary containment consisting of a concrete vault and an impermeable membrane or coating which has been applied to the concrete.

B. WASTE IDENTIFICATION

1. The Permittee may store a total volume of 28,500 gallons of waste in the tanks listed below subject to the terms of this permit.

<u>Tank Number</u>	<u>Material of Construction</u>	<u>Dimensions Ht./length Dia.</u>	<u>Capacity in Gallons</u>	<u>Status</u>	<u>Minimum Shell Thickness in Inches</u>
1*	CS	26' 12'	20,000	existing	0.1875
2**	CS	26' 8'	10,000	existing	0.25

*northwest tank in the 4-pack tank farm

**horizontal tank next to the flammable waste storage shelter

2. The Permittee may store a total of 19,000 gallons of spent mineral spirits as identified in Section C-1 of the approved permit application in the northwest tank of the 4-pack tank farm.
3. The Permittee may store a total of 9,500 gallons of spent antifreeze as identified in Section C-1 of the approved permit application in the horizontal 10,000 gallon aboveground tank located next to the flammable waste storage shelter.
4. Storage of waste in tanks other than those specifically identified in II(B)(1) and II (B)(2) is prohibited.

C. CONTAINMENT AND DETECTION OF RELEASES

1. The Permittee shall maintain secondary containment which meets the requirements of 35 IAC 724.293 (as amended 7/16/87) for each tank identified above.
2. The Permittee shall operate and maintain the tank systems according to the detailed plans and reports contained in the approved permit application, subject to the following modifications:

- a. The Permittee shall maintain the concrete slab, the curbs, and the walls that are used as part of the containment with an impermeable surface coating that:
 - 1) is compatible with the waste, or any other liquid, stored in the containment system and;
 - 2) will prevent migration of the waste into the concrete of the slab or wall.
- b. The Permittee shall perform a complete inspection of the surface coating yearly and perform annual maintenance to insure the integrity of the coating.
- c. The Permittee shall maintain a compatible caulking or sealant at each existing joint to make the joint liquid tight. These joints include but are not limited to; all construction joints within the slab, walls and curbs and joints between the slab and curb, between two curbs, between the slab or curb and wall and joints between two walls. The caulking or sealant shall be compatible with the stored waste, or any other liquid, stored in the same containment system with the hazardous waste.
- d. The Permittee shall paint the vault system of the 10,000 gallon horizontal tank within 30 days of the effective date of this permit.

D. GENERAL OPERATING REQUIREMENTS

1. The Permittee shall not place hazardous wastes in a tank system if they could cause the tank, its ancillary equipment, or the containment system to rupture, leak, corrode, or otherwise fail.
2. The Permittee shall use appropriate controls and practices to prevent spills and overflows from tank or containment systems using the methods specified in the Approved Permit Application, subject to the following modifications:
 - a. All hazardous waste storage tanks shall be equipped with automatic waste feed shut-off valves connected to the continuously monitored liquid-level sensors which are activated when the tank is 95% full or;
 - b. All hazardous waste storage tanks shall be equipped with audible alarms which are activated when the tank is 95% full.

3. All hazardous wastes to be received at the tank storage area must be spent mineral spirits or spent antifreeze identified in Section C-1 of the approved permit application and in Attachment A to this permit and have been analyzed per the requirements identified in the waste analysis plan. In addition, all hazardous and non-hazardous special wastes received at the facility must be permitted by an IEPA issued special waste permit and be accompanied by a properly completed Illinois manifest unless the generator is a conditionally exempt small quantity generator as defined in 35 IAC 721.105(a).
4. An employee of the facility shall be present at all times when waste is being transferred from a tank truck to the receiving tank.
5. Precipitation accumulating within the tank farm shall be removed within 24 hours after the precipitation event has ended.

E. RESPONSE TO LEAKS OR SPILLS

In the event of a leak or a spill from the tank system, from a secondary containment system, or if a system becomes unfit (i.e., failure of the coating) for continued use, the Permittee shall remove the system from service immediately and complete the following actions (35 IAC 724.296(a)-(f)):

1. Stop the flow of hazardous waste into the system and inspect the system to determine the cause of the release.
2. Remove all waste as necessary from the system within 24 hours of the detection of the leak to prevent further release and to allow inspection and repair of the system. If the Permittee finds that it will be impossible to meet this time period, the Permittee shall notify the Agency and demonstrate that the longer time period is required.
3. If the collected material is a RCRA hazardous waste, it must be managed in accordance with all applicable requirements of 35 IAC Parts 722-724.
4. Contain visible releases to the environment. The Permittee shall immediately conduct a visual inspection of all releases to the environment and based on that inspection: (1) prevent further migration of the leak or spill to soils or surface water and (2) remove and properly dispose of any visible contamination of the soil or surface water.
5. Close the system in accordance with the Closure Plan, contained in the approved Permit Application, unless the following actions are taken:

- a. For a release caused by a spill that has not damaged the integrity of the system, the Permittee shall remove the released waste and make any necessary repairs to fully restore the integrity of the system before returning the tank system to service.
- b. For a release caused by a leak from the primary tank system to the secondary containment system, the Permittee shall repair the primary system prior to returning it to service.

F. INSPECTIONS

1. The owner or operator must inspect in accordance with the inspection schedule in Attachment B to this Permit.
2. If a leak or spill is observed during the daily inspections, the Permittee shall immediately remove the tank system in question from service and follow the procedures set forth in 35 IAC 724.296.
3. Releases of hazardous waste from spills and leaks which are observed in the secondary containment system shall be removed within the same operating shift and managed as a hazardous waste.
4. The Permittee shall inspect each tank system to assess its condition. This inspection shall consist of a visual inspection, a pressure test and an ultrasonic thickness test in accordance with the following procedures:
 - a. An ultrasonic thickness test shall be conducted annually on the tank.
 - b. A hydrostatic leak test or other integrity assessment as approved by the Agency shall be conducted annually on the tank ancillary equipment.
 - c. A detailed visual inspection of the tank's interior shall be conducted every fifth year to ensure the tank's integrity. During this internal inspection, the internal surface shall be inspected for rust, cracks and thin areas. Corrective action as specified by a qualified registered professional engineer or corrosion technician shall be taken if the internal inspection indicates that the interior surface of a tank system has been detrimentally affected by the hazardous waste which has been stored in it. Tanks shall be entered in accordance with 29 CFR 1910.94(d)(11). The first internal inspection shall be conducted in accordance with the following schedule:

- i. Spent mineral spirit tank by the end of 1994.
- ii. Spent antifreeze tank by the end of 1995.
- d. The inspection of each tank shall be certified by a qualified, registered professional engineer, or corrosion technician.
- e. All waste and washwater generated during evacuation of the tanks shall be managed as a hazardous waste.
- f. Results of the inspection shall be submitted to the Division of Land Pollution Control of this Agency within 60 days of the inspection date, and shall also be included in the operating record of this facility.
- g. If the results of these inspections indicate a tank system is leaking, the procedures set forth in 35 IAC 724.296 (as amended July 16, 1987) shall be followed.

G. REPORTING AND RECORDKEEPING

- 1. The Permittee shall report to the Agency's Division of Land Pollution Control Field Office within twenty-four (24) hours when a leak or spill occurs in the tank system or secondary containment system unless the spill or leak of hazardous waste is less than or equal to one pound in quantity and it is immediately contained and cleaned up.
- 2. Within thirty (30) days of detecting a release as described above to the environment from the tank system or secondary containment system, the Permittee shall report the following information in writing to the Division of Land Pollution Control of this Agency:
 - a. Likely route of migration of the release;
 - b. Characteristics of surrounding soil (including soil composition, geology, hydrogeology, and climate);
 - c. Results of any monitoring or sampling conducted in connection with the release;
 - d. Proximity to downgradient drinking water, surface water, and populated areas;
 - e. Description of response actions taken or planned
- 3. The permittee shall submit to the Agency all certifications of major repairs to correct leaks within seven days from returning the tank system to use (35 IAC 724.296(f)).

H. SPECIAL REQUIREMENTS FOR IGNITABLE OR REACTIVE WASTES

1. The Permittee shall not place ignitable waste in the tank system, unless the procedures specified in the Approved Permit Application are followed.
2. The Permittee shall comply with the requirements for the maintenance of protective distances between the waste management area and any public ways, streets, alleys, or an adjoining property line that can be built upon as required in Tables 2-1 through 2-6 of the National Fire Protection Association's "Flammable and Combustible Liquids Code" (1987).
3. The Permittee shall not place reactive waste/material in the tank systems at this facility.

I. SPECIAL REQUIREMENTS FOR INCOMPATIBLE WASTES

1. The Permittee shall not place incompatible wastes together in the same tank system. The facility shall not store waste in a tank which previously held an incompatible waste, unless the tank system has been decontaminated.

J. CLOSURE

At closure, all waste and waste residues must be removed from tanks, discharge control equipment and discharge confined structures. Closure of the tank storage area shall be carried out in accordance with the closure plan in the approved permit application, as modified below:

1. The Permittee shall notify the Agency's Division of Land Pollution Control in writing of its intent to close the tank system at least 180 days prior to the date closure is expected to begin. Along with this notification, the Permittee shall submit the sampling and analysis plan to be used in demonstrating a tank system has been properly decontaminated. The plan shall be approved by the Agency's Division of Land Pollution Control in writing prior to being implemented. Agency review of this plan will be subject to the permit appeal provisions contained in Section 39(a) and 40(a) of the Illinois Environmental Protection Act. The response from the Agency shall approve and establish:
 - a. The sampling plan;
 - b. What contaminants must be analyzed for;
 - c. The level at which decontamination is considered complete.

2. The concrete surfaces shall be visually inspected, photographed and any residue adhering to the surface must be removed by scraping and/or brushing. Following this, the concrete surfaces must be steam cleaned and triple rinsed. All wash and rinse water shall be collected. For tank systems which include secondary containment systems which met the requirements of 35 IAC 724.293 at the time of installation, the secondary containment must be certified by an independent, registered, professional engineer indicating that the surface has no cracks, gaps or other defects which would allow waste to migrate through to the underlying soil. If such a certification cannot be made, soil sampling and analysis must be conducted to establish clean closure.

Sweepings collected during closure of any tank system shall be managed as a hazardous waste. All washwater and rinsate generated during the closure of these units shall also be managed as a hazardous waste.

3. The Permittee shall provide post-closure care in accordance with 35 IAC Part 724 for a tank system if all of the hazardous wastes or contaminated soils cannot be practicably removed or decontaminated in accordance with the closure requirements outlined in this permit and in the approved closure plan. If it is determined that the closure requirements cannot be met and post-closure care is required, the tank system shall be considered to be a landfill and the post-closure care plan in the approved application will be modified as required to provide adequate post-closure care for the affected tank system(s) in accordance with 35 IAC, Subtitle G, Part 724, Subparts G and H.
4. Should post-closure care, as described in Condition 3 above, become necessary, the Permittee shall submit an application for modification to this permit, including an amended closure plan and post-closure care plan for the affected tank system within thirty (30) days following discovery that clean closure cannot be accomplished. If a determination is made not to pursue clean closure prior to the implementation of the closure plan for the tank system, the modification request shall be made no later than sixty (60) days after the determination is made.
5. Financial assurance for closure and post-closure of any tank system being closed as a landfill, when required in accordance with Conditions 3 and 4 above, shall be updated within thirty (30) days following modification of the permit under the provisions of Condition 4 above.

6. Within sixty (60) days after closure of any tank system is complete, the Permittee shall submit certification to the Agency that the unit has been closed in accordance with the approved closure plan.

The closure certification form in Attachment C to this permit or a certification with identical wording must be used. Signatures must meet the requirements of 35 Ill. Adm. Code Section 702.126. The independent engineer should be present at all critical, major points (activities) during the closure. This might include soil sampling, soil removal, backfilling, final cover placement, etc. The frequency of inspections by the independent engineer must be sufficient to determine the adequacy of each critical activity. Financial assurance must be maintained for each tank system identified in Condition B.1 above. Documents regarding financial assurance for closure of this facility may be modified after the Agency approves the closure certification for any or all of the tank systems. The Agency's review of closure certifications for partial or final closure will be reviewed in accordance with 35 IAC 724.243.

A Closure Documentation Report is to be submitted with the closure certification which includes the following items, if applicable:

- a. The volume of waste and waste residue removed, including wastes generated during decontamination procedures.
- b. A description of the method of waste handling and transport.
- c. Copies of the waste manifests.
- d. A description of the sampling and analytical methods used.
- e. A chronological summary of closure activities and the cost involved.
- f. Tests performed, methods and results.
- g. Color photographs of closure activities which document conditions before, during and after closure.

Section III: REPORTING AND NOTIFICATION REQUIREMENTS

The reporting and notification requirements of each section of the RCRA permit are summarized below. This summary is provided to highlight the various reporting and notification requirements of this permit.

Condition	Submittal	Due Date
SECTION I: CONTAINERS		
K(1)	Notify Agency of intent to close the container storage area	180 days prior to commencement of closure
K(1)	Submit sampling and analysis plan for review	180 days prior to commence of closure
K(5)	Submit application for modification of permit and post-closure care plan	No later than 30 after determination that the container storage area cannot be clean closed
K(6)	Update financial assurance to include modification in Conditions I(K)(4) or I(K)(5)	30 days after permit is modified
K(7)	Submit certification for closure of the container storage area	Within 60 days after closure is completed
SECTION II: TANK SYSTEMS		
C(2)(d)	Paint the vault system of the 10,000 gallon horizontal tank	Within 30 days of effective date of this permit
F(6)(f)	Results of tank integrity assessment	60 days after inspection
G(1)	Notify Agency of a leak or spill unless the spill or leak of hazardous waste is less than or equal to one pound and it is immediately contained and cleaned up	24 hours after leak or spill occurs
G(2)	Report to Agency on release and Permittee's response	30 days after leak or spill occurs

G(3)	Certification of major repairs	Within seven days from returning tank system to service
J(1)	Notify Agency of intent to close tank system(s)	180 days prior to commencement of closure
J(1)	Submit sampling and analysis plan	180 days prior to commencement of closure
J(4)	Submit application for permit modification and post-closure care plan	30 days after determination that a tank system must be closed as a landfill
J(5)	Financial Assurance for closure or post-closure	30 days after effective date of permit or modification of permit
J(6)	Submit certification of closure of tank system(s)	60 days after closure of tank system(s) is complete

SECTION IV: CORRECTIVE ACTION

B	Submit a RCRA Facility Investigation (RFI) Phase 1 Workplan	within 4 months after effective date of this permit
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SECTION V: STANDARD CONDITIONS

6	Complete application for new permit	180 days prior to permit expiration
11	Information requested by Agency and copies of records required to be kept by this permit	Submittal date to be determined by Agency
14	Notify Agency of planned physical alterations or additions	15 days prior to planned change

15	Notify Agency of changes which may result in permit noncompliance	Within 15 days of change
16	Application for permit modification indicating permit is to be transferred	At least 90 days prior to transfer date
18	Submission of any information required in a compliance schedule	14 days after each schedule date
19	Report to Agency any non-compliance which may endanger health or environment	
	by telephone	24 hours after discovery
	in writing	5 days after discovery
20	Report all other instances of noncompliance	March 1 of each year along with Annual Report
28	Notify the Regional Administrative in writing of expected receipt of hazardous waste from a foreign source	4 weeks prior to receipt of waste
40	Update arrangements with local authorities	At a least annually
41	Implementation of Contingency Plan	
	Notify appropriate state and local agencies with designated response roles	As needed
	Notify appropriate local officials	Immediately, if emergency coordinator's assessment indicates evacuation of local area is advisable

	Notify the Agency (217/782-3637) or Illinois ESDA (217/782-7860) if emergency coordinator determines there has been a release, fire or explosion which could threaten human health or the environment, outside the facility	Immediately after determination made
	Notify Agency and appropriate state and local authorities, in writing that facility is in compliance with 35 IAC 724.156(h)	Prior to resuming operation in affected areas
	Report to Agency details regarding incident which required implementation of contingency plan	15 days after event
47	Submit annual report required by 35 IAC 724.175	March 1 of each year
49	Application for permit modification amending closure plan	Within 90 days of discovery of need for modification
50	Notify Agency that expecting to close	60 days prior to beginning closure
54(a)	Adjust closure cost estimate for inflation	30 days after anniversary date
54(b)	Revision of closure cost estimate	As needed, within 90 days of discovery of revision
55	Change in financial assurance mechanism for closure	As needed
56	Change in coverage for sudden and non-sudden accidental occurrences	As needed
57	Notify Agency of commencement of voluntary or involuntary bankruptcy proceedings	10 days after commencement of proceeding

ATTACHMENT D: ADDITIONAL SPECIAL CONDITIONS

C(1)	Submit closure plan	180 days prior to closure of any hazardous waste management unit
D(1)	Submit an engineering certification that the 10,000 gallon horizontal tank and piping have been painted	Within 10 days of the effective date of this permit
E(2)	Notify Emergency Response Teams	Immediately upon implementation of contingency plan
E(3)	Documentation of submittal of required information to Emergency Response entities	within 60 days of the effective date of this permit
E(4)	Documentation of agreements/arrangements with local units	within 60 days of the effective date of this permit

SECTION IV: CORRECTIVE ACTION

A. INTRODUCTION

In accordance with Section 3004 of RCRA and 35 IAC 724.201, the Permittee shall institute such corrective action as necessary to protect human health and the environment from all releases of hazardous wastes or hazardous constituents, listed in Appendix H of 35 IAC Part 721, from any solid waste management unit (SWMU) at its facility in Pekin, Illinois. This shall be accomplished by:

1. Conducting a RCRA Facility Investigation (RFI) to determine whether releases of hazardous wastes and hazardous constituents have occurred from any solid waste management unit (SWMU) at its Pekin facility, and if so, the nature and extent of the release(s).
2. Based upon the results of the RFI, developing and implementing a Corrective Action Plan which describes the necessary corrective actions which will be taken. The required corrective actions shall be those actions necessary to protect human health and the environment from all releases of hazardous wastes or hazardous constituents, listed in Appendix H of 35 IAC Part 721, from any of the SWMUs determined to pose an environmental threat by the RFI required under the terms and conditions of this permit.

B. CONDUCTING THE RCRA FACILITY INVESTIGATION

The Permittee must conduct a RCRA Facility Investigation to determine the nature and extent of releases of hazardous wastes and hazardous constituents from certain SWMUs at the subject facility. This RFI shall be carried out in three phases. Each phase will provide for a more detailed evaluation of each Solid Waste Management Unit identified. The requirements for the RFI are provided in Attachment E to the permit.

1. Based upon the results of the RCRA Facility Assessment which was conducted by the Agency for this facility, the SWMUs identified in the table below must be evaluated in the RFI for potential releases to certain environmental media of concern also identified in the table. (Please note that this is not a complete listing of SWMUs at the subject facility.):

<u>SWMU #</u>	<u>Unit</u>	<u>Environmental Media of Concern</u>
13	Warehouse Container Storage Area Trenches	soil, groundwater
14	Warehouse Drain	soil, groundwater
16	Past Oil Spill	soil, groundwater

2. The Permittee shall submit to the Illinois Environmental Protection Agency's Division of Land Pollution Control (Agency's DLPC) Permit Section, within 120 days after the effective date of this permit, a written RCRA Facility Investigation (RFI) Phase I Workplan. In general, the Phase I RFI Workplan must contain the following:
 - a. General information regarding the Safety Kleen facility in Pekin, Illinois.
 - b. Information, as it is available, regarding each SWMU identified in Condition IV.B.1 above which (1) characterizes the unit, (2) describes its history of operations, and (3) documents the unit's integrity.
 - c. Proposed procedures, including field activities, to determine the absence or presence of releases of hazardous waste or hazardous constituents to the soil and/or air from each SWMU which is determined, based on the unit and waste characterization in IV.B.2.b, to have a potential to have released hazardous waste or hazardous constituents to the environmental media.

More specific requirements regarding what must be contained in the Phase I Workplan are contained in Attachment E to this permit.

3. The Agency's DLPC will approve, approve with modifications, or disapprove the Phase I Workplan in writing and provide comments regarding the necessary corrections or modifications.
 - a. Within 60 days of receipt of such comments, the Permittee must modify the plan or submit a new plan for the Agency's DLPC approval.
 - b. Within 30 days of the Agency's DLPC approval of the RFI Phase I Workplan, the Permittee shall begin implementing the Workplan according to the terms and schedule in the Workplan.
 - c. Agency action on the Phase I Workplan will be subject to the appeal provisions of Sections 39(a) and 40(a) of the Illinois Environmental Protection Act.
4. The Permittee must submit a report documenting the efforts carried out as set forth in the approved RFI Phase I Work Plan in accordance with the schedule established in the approved Workplan. This report must be organized so as to present a comprehensive and coherent description of the sources, nature and extent of soil contamination discovered at each SWMU during the Phase I RFI. The report must also

discuss and evaluate the results of the Phase I RFI associated with each SWMU and include conclusions related to the need for additional investigation at each SWMU as part of a Phase II RFI. This report must be prepared in accordance with (1) the Data Management Plan which is to be a part of the RFI Phase I Workplan (see Item III.F of Attachment E to this permit) and (2) any modifications to the Workplan imposed by the Agency as part of its approval of the workplan.

- a. Since the report must include conclusions related to the need for a Phase II investigation, it must contain proposed concentrations which will be used to make this determination. Justification for these proposed values must also be included in the report.
5. Following the submittal of the RFI Phase I report, the Agency's DLPC will review the submitted data and notify the Permittee in writing of the results of the review. This notification will discuss the status of each of the SWMUs evaluated as part of Phase I of the RFI.
- a. If the Agency's DLPC determines, based upon the data provided within and obtained from the Phase I Workplan for each SWMU investigated, that (1) there is no potential for release from that SWMU to the environmental media of concern and (2) there has been no release of hazardous wastes or hazardous constituents to the environmental media of concern from that SWMU, then no further action will be required for that SWMU.
 - b. If the Agency's DLPC determines, based on the data from the Phase I RFI for each SWMU investigated, that (1) there has been a release to any environmental media of concern, (2) there currently is a release to any environmental media of concern, or (3) the data associated with a given SWMU is inconclusive, then the Permittee will be required to conduct additional investigation of the SWMU as part of Phase II and, if necessary, Phase III of the RFA.
 - c. The final letter sent to the facility conveying the results of the review will:
 1. Identify those SWMUs for which no further investigation is needed;
 2. Identify which SWMUs which must be further investigated to determine the rate and extent of migration of hazardous waste or hazardous constituents and the concentrations of the hazardous waste or hazardous constituents in the environmental media potentially impacted by the SWMU;

3. Identify, for each SWMU requiring further investigation, the associated environmental media which must be further investigated;
 4. Indicate whether the facility must perform a Phase II and/or a Phase III RFI Investigation for those SWMUs requiring further investigation. Unless sufficient information is provided to the Agency as a result of additional investigation in the Phase II investigation, units which have the possibility of releasing hazardous waste or hazardous constituents to groundwater must be evaluated as part of Phase III of the RFA.
- d. Agency action on the final Phase I RFI report and proposed cleanup objectives will be subject to the appeal provisions of Sections 39(a) and 40(a) of the Illinois Environmental Protection Act.
6. If the Permittee is notified in writing in accordance with Condition IV.B.5.c that any SWMUs identified in Condition IV.B.1 above must be included in Phase II of the RFI, then the Permittee must develop and submit a Phase II RFI Workplan. Phase II of the RFA shall focus on determining the rate and extent of migration of hazardous waste or hazardous constituents and the concentrations of the hazardous waste or hazardous constituents in the soil and/or air potentially impacted by the SWMU. Only the media potentially impacted by each SWMU as identified in the Agency notification set forth in Condition IV.B.5.c above must be investigated. Such a workplan must be submitted no more than 90 days after the facility is notified in writing in accordance with Condition IV.B.5.c above. The requirements for a Phase II of the RFI are contained in Attachment E to the permit.
 7. The Agency's DLPC will approve, modify and approve, or disapprove the Phase II workplan in writing and provide comments regarding the required corrections or modifications.
 - a. Within 60 days of the receipt of such comments, the Permittee must modify the plan or submit a new plan for the Agency's DLPC approval.
 - b. Within 30 days of the Agency's DLPC approval of the RFI Phase II Workplan, the Permittee shall begin implementing the plan according to the terms and schedule established in the Phase II Workplan.

- c. Agency action on the Phase II workplan will be subject to the appeal provisions of Sections 39(a) and 40(a) of the Illinois Environmental Protection Act.
8. The Permittee must submit a report documenting the efforts carried out in accordance with the approved RFI Phase II Workplan in accordance with the schedule established with in the Phase II Workplan. This report must be prepared in a manner which is similar to that specified in Condition IV.B.4 above.
- a. Should the Permittee wish to propose target soil cleanup objectives for corrective measures, such a proposal must be submitted to the Agency upon submittal of the RFI Phase II report. Such a request must consider distance from the subject SWMU(s) to potential receptors, 35 IAC 620 groundwater quality standards, and it must provide an assessment of potential threats to human health and the environment in proposing soil, surface water or groundwater target cleanup objectives (i.e., the proposal should include a site and contaminant specific risk assessment which ensures that alternative target cleanup objectives will not allow the groundwater quality standards to be exceeded, or pose a threat to human health and the environment). The Agency will establish cleanup objectives for corrective measures if no objectives are proposed by the Permittee.
9. Following submittal of the RFI Phase II report, the Agency's DLPC will review the data obtained from the RFI Phase II investigation and notify the Permittee in writing of the results.
- a. If the Agency determines that there is a potential that groundwater has been impacted by a release of hazardous wastes or hazardous constituents from any SWMU evaluated during the Phase II investigation, then the Permittee must conduct Phase III of the RFI for such SWMUs. The purpose of the Phase III investigation of the RFI will be to define the extent of releases, both on-site and off-site, to the groundwater from SWMUs for which the results of the Phase II investigation indicate a release to groundwater. The requirements associated with a Phase III Investigation are contained in Attachment E to this permit.
 - b. If the Agency's DLPC determines that a RFI Phase III investigation is not required, based on data obtained from the RFI Phase II investigation, the Agency reserves the right to require that corrective measures be conducted for the SWMU(s) of concern to address releases identified through the Phase I and Phase II investigations.

- c. The Agency's response to the Phase II report will:
 - i. Identify those SWMUs and associated environmental media for which Phase III of the RFI must be conducted; and,
 - ii. Identify those SWMUs and associated environmental media for which corrective action is required, although no Phase III investigation is required.
 - d. Agency action on the final RFI Phase II report will be subject to the appeal provisions of Sections 39(a) and 40(a) of the Illinois Environmental Protection Act.
10. Within 90 days of notification of the need for a Phase III investigation, the Permittee shall submit a plan for conducting Phase III of the RFI. The Agency's DLPC will approve, modify and approve, or disapprove and provide comments to the Permittee as to the corrections or modifications needed for the RFI Phase III Workplan.
- a. Within 60 days of receipt of such comments, the Permittee must modify the plan or submit a new plan for the Agency's DLPC approval.
 - b. Within 30 days of the Agency's DLPC approval of the RFI Phase III Workplan, the Permittee shall begin implementing the plan according to the terms and schedule established within the Workplan.
 - c. Agency action on the Phase III workplan will be subject to the appeal provisions of Sections 39(a) and 40(a) of the Illinois Environmental Protection Act.
11. Within 120 days of receipt of the Agency's response identified in Condition IV.B.9.c, the Permittee shall submit to the Agency's DLPC a Corrective Action Plan (CAP), in accordance with the requirements outlined in Condition IV.C. below for those SWMUs identified in the response as requiring corrective action that do not need to evaluate as part of the Phase III investigation.
12. The Permittee must submit a report documenting the efforts carried out in accordance with the approved RFA Phase III Workplan in accordance with the schedule set forth in that workplan. This report must be prepared in a manner which is similar to that specified in Condition IV.B.4 above.

13. Following submittal of the RFI Phase III report, the Agency's DLPC will review the data contained in the report and notify the Permittee in writing of the results.
- a. If the Agency determines that there has been a release of hazardous waste or hazardous constituents from a SWMU to the groundwater, then the Permittee must perform corrective action, as necessary, to protect human health and the environment.
 - b. If the Agency determines that there (1) has not been a release of hazardous waste or hazardous constituents from a SWMU to the groundwater and (2) is no potential for releases of hazardous waste or hazardous constituents from a SWMU to the groundwater, then no corrective action will be required at that SWMU relating to groundwater.
 - c. If the Agency determines (1) that there has not been a release of hazardous waste or hazardous constituents from a SWMU to the groundwater and (2) that there is a potential for future releases of hazardous waste or hazardous constituents from a SWMU to the groundwater, then the Agency may require a longer term groundwater monitoring program at any SWMU where substantial soil contamination exists (as determined by the Agency), or at any SWMU which would meet the definition of a land disposal unit.
 - d. The Agency's response to the Phase III report will:
 - i. Identify those SWMUs investigated as part of Phase III of the RFI from which there has been a release of hazardous waste or hazardous constituents to groundwater that requires corrective action;
 - ii. Identify those SWMUs investigated as part of Phase III of the RFI for which no corrective action is required for groundwater at this time;
 - iii. Identify those land-based SWMUs investigated as part of the Phase III RFI for which a longer term groundwater monitoring program must be established. "Land-based SWMUs" are SWMUs where waste, contaminated soil and/or contaminated groundwater are allowed to remain in-place.
 - e. Agency action on the Phase III Workplan will be subject to the appeal provisions of Sections 39(a) of the Illinois Environmental Protection Act.

14. If the Agency's notification identified in Condition IV.B.13.d above requires that corrective action be performed for releases of hazardous waste or hazardous constituents to the groundwater from certain SWMUs, then the Permittee must submit a Corrective Action Plan for this release from the SWMU(s) of concern which meets the requirements of Condition IV.C below for review and approval. This plan must be submitted within 120 days of the date that the notification identified in Condition IV.B.13.d is received by the Permittee.
15. If the Agency's notification identified in Condition IV.B.13.d above requires that a longer term groundwater monitoring program be established for certain SWMUs, then the Permittee must submit such a plan within 120 days after receiving this notification. This plan must be developed in accordance with the general procedures set forth in Section IV.D.4 of Attachment E. The Agency's DLPC will approve, modify and approve or disapprove and provide comments to the Permittee as to corrections or modifications needed for the program.
 - a. Within sixty (60) days of receipt of such comments, the Permittee must modify the plan or submit a new plan for the Agency's approval.
 - b. Within thirty (30) days of the approval of the plan, the Permittee shall begin implementing the plan in accordance with the terms and schedule established in the plan.
 - c. Agency action on the groundwater monitoring plan will be subject to the appeal provisions of Sections 39(a) and 40(a) of the Illinois Environmental Protection Act.

C. CORRECTIVE ACTION REQUIREMENTS

If, in accordance with Conditions IV.B.9 and/or IV.B.13, it is determined that corrective actions must be taken in response to releases from any SWMU, then the Permittee shall develop a Corrective Action Plan (CAP). This plan must be submitted within 120 days after receipt of the notification from the Agency that corrective actions are necessary to protect human health and the environment from observed releases from SWMUs at the facility. The purpose of the CAP is to develop and evaluate corrective action alternative(s) and evaluate corrective action measure(s) which will satisfy the target cleanup objectives specified by the Agency's DLPC. The proposed corrective actions must be sufficient to protect human health and the environment from the observed release.

The Agency DLPC will approve, modify and approve, or disapprove and provide comments to the Permittee as to the corrections or modifications needed for the CAP. Within 60 days of receipt of such comments, the Permittee must modify the CAP or submit a new CAP for the Agency's DLPC approval. The Agency's DLPC approval of one or more of the corrective measure(s) will consider, at a minimum, performance, reliability, implementability, safety, human health and the environmental impact of the measure(s). The formal approval and incorporation of the selected corrective measure(s) into the Part B permit will be via the Class 2 Permit Modification procedures identified in 35 IAC 703.282. The Permittee shall begin implementing the selected corrective measure(s) according to the terms and schedule identified in the modified permit.

D. FINANCIAL ASSURANCE FOR CORRECTIVE ACTION

1. The Permittee shall prepare a cost estimate for the completion of any corrective measure(s) required under this permit, in order to provide financial assurance for completion of corrective action, as required under 35 IAC 724.201(b). Such a cost estimate will be based upon the cost of contamination investigations and assessments for the SWMU(s), and design, construction, operation, inspection, monitoring, and maintenance of the corrective measure(s) to meet the requirements of 35 IAC 724.201, Attachment E and this permit. This cost estimate must be submitted to the Agency's DLPC and revised according to the following schedule:

<u>Facility Submission</u>	<u>Due Date</u>
Initial Cost Estimate (with Workplan)	120 days after the RFI Phase I effective date of this permit
Revised Cost Estimate (with the initial submittal of each RFI Report)	Upon written Agency request

2. The Permittee shall demonstrate continuous compliance with 35 IAC 724.201 by providing documentation of financial assurance using a mechanism specified in 35 IAC 724.243, in at least the amount of the cost estimate required under Condition IV.D.1. The words "completion of corrective action" shall be substituted for "closure and/or post-closure", as appropriate in the financial instrument specified in 35 IAC 724.251. The documentation shall be submitted to the Agency's DLPC within 60 days after the submittal of the initial or revised cost estimates required under Condition IV.D.1. The Agency's DLPC may accept financial assurance for completion of corrective action in combination with another financial mechanism that acceptable under 35 IAC 724.246 at its discretion.

E. FUTURE RELEASES FROM SWMUs

Whenever the Permittee becomes aware that any SWMU, that was not found to be releasing hazardous waste or hazardous constituents during the RFI, or was not addressed under the corrective action requirements of this permit, may have started to release hazardous waste or hazardous constituents, the Permittee shall report this information to the Agency's DLPC in writing within thirty (30) days of discovery. Upon the Agency's written request, the Permittee shall determine the nature and extent of the contamination by following the procedures set forth in Conditions IV.B through IV.D, beginning on the date of notification, rather than on the effective date of the permit.

F. NOTIFICATION REQUIREMENTS FOR AN ASSESSMENT OF NEWLY- IDENTIFIED SOLID WASTE MANAGEMENT UNIT(S)

1. The Permittee shall notify the Agency's DLPC in writing of any newly-identified SWMU(s) discovered during the course of groundwater monitoring, field investigations, environmental audits, or other means, no later than sixty (60) calendar days after discovery. The notification shall provide the following information, if available:
 - a. The location of the newly-identified SWMU in relation to other SWMUs on a scaled map or drawing;
 - b. The type and past and present function of the unit;
 - c. The general dimensions, capacities, and structural description of the unit (available drawings and specifications provided);
 - d. The period during which the unit was operated;
 - e. The specifics on all materials, including but not limited to, wastes and hazardous constituents, that have been or are being managed at the SWMU, to the extent available; and
 - f. The results of any relevant available sampling and analysis which may aid in determining whether releases of hazardous wastes or hazardous constituents have occurred or are occurring from the unit.
2. If the submitted information demonstrates a potential for a release of hazardous waste or hazardous waste constituents from the newly identified SWMU, the Agency's DLPC may request in writing, that the Permittee prepare a Solid Waste Management Unit (SWMU) Assessment

Plan and a proposed schedule of implementation and completion of the Plan for any additional SWMU(s) discovered subsequent to the issuance of this Permit.

3. Within 120 calendar days after receipt of the Agency's DLPC request for a SWMU Assessment Plan, the Permittee shall prepare a SWMU Assessment Plan consistent with the requirements of IV.B through IV.D above. This SWMU Assessment plan must also propose investigations, including field investigations if necessary, to determine the release potential to specific environmental media for the newly-identified SWMU. The SWMU Assessment Plan must demonstrate that the sampling and analysis program, if applicable, is capable of yielding representative samples and must include parameters sufficient to identify migration of hazardous waste and hazardous constituents from the newly-discovered SWMU(s) to the environment.
4. After the Permittee submits the SWMU Assessment Plan, the Agency's DLPC shall either approve, approve with conditions or disapprove the Plan in writing. If the plan is approved, the Permittee shall begin to implement the Plan within forty-five (45) calendar days of receiving such written notification. If the Plan is disapproved, the Agency's DLPC shall notify the Permittee in writing of the Plan's deficiencies specify a due date for submittal of a revised plan.
5. The Permittee shall submit a report documenting the results of the approved SWMU Assessment Plan to the Agency's DLPC in accordance with the schedule in the approved SWMU Assessment Plan. The SWMU Assessment Report shall describe all results obtained from the implementation of the approved SWMU Assessment Plan.

G. COMPLETION OF CORRECTIVE ACTION

1. The Permittee shall complete those corrective actions contained in the Corrective Action Plan approved in accordance with Condition IV.C above. The Permittee may request the Agency's DLPC to consider corrective action complete at any point during compliance with this permit. The petition should include a demonstration of the following:
 - a. The Permittee shall demonstrate that there have been no releases of hazardous waste or hazardous constituents to any media from the SWMUs; or
 - b. The Permittee shall demonstrate that all releases of hazardous waste or hazardous constituents to all media targeted within the RFI for investigation have been remediated to the target cleanup

objectives specified within the approved Corrective Measures Plan, and shall also describe how releases will be prevented in the future; or

c. Some combination of the above demonstrations.

Appropriate documentation and certification must accompany such a demonstration.

The Permittee shall be notified in writing if the Agency's DLPC approves the request that the corrective actions can be considered complete. The notification from the Agency's DLPC to the Permittee may include a release from the financial requirements of Condition F above.

2. A determination of no further action shall not preclude the Agency's DLPC from requiring continued or periodic inspections of the SWMU(s) or continued or periodic monitoring of the specified environmental media when site-specific circumstances indicate that releases of hazardous wastes including hazardous constituents are likely to occur, if necessary to protect human health and the environment. Any requirement for long-term groundwater monitoring may only be required at SWMUs where substantial soil contamination exists (as determined by the Agency) or at any SWMU which would meet the definition of a land disposal unit.
3. A determination of no further action shall not preclude the Agency's DLPC from requiring further investigations, studies, or remediation at a later date, if new information or subsequent analysis indicates a release or likelihood of a release from a SWMU at the facility that is likely to pose a threat to human health or the environment. In such a case, the Agency's DLPC shall initiate a permit modification to rescind the determination of no further action.

SECTION V: STANDARD CONDITIONS

GENERAL REQUIREMENTS

1. **EFFECT OF PERMIT.** The existence of a RCRA permit shall not constitute a defense to a violation of the Environmental Protection Act or Subtitle G, except for development, modification or operation without a permit. Issuance of this permit does not convey property rights or any exclusive privilege. Issuance of this permit does not authorize any injury to persons or property or invasion of other private rights, or infringement of state or local law or regulations. (35 IAC 702.181)
2. **PERMIT ACTIONS.** This permit may be modified, reissued or revoked for cause as specified in 35 IAC 703.270 through 703.273 and Section 702.186. The filing of a request by the Permittee for a permit modification or revocation, or a notification of planned changes or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. (35 IAC 702.146)
3. **SEVERABILITY.** The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby. (35 IAC 700.107)
4. **PERMIT CONDITION CONFLICT.** In case of conflict between a special permit condition and a standard condition, the special condition will prevail. (35 IAC 702.160)
5. **DUTY TO COMPLY.** The Permittee shall comply with all conditions of this permit except for the extent and for the duration such noncompliance is authorized by an emergency permit. Any permit noncompliance constitutes a violation of the Environmental Protection Act and is grounds for enforcement action; permit revocation or modification; or for denial of a permit renewal application. (35 IAC 702.141 and 703.242)
6. **DUTY TO REAPPLY.** If the Permittee wishes to continue an activity allowed by this permit after the expiration date of this permit, the Permittee must apply for a new permit at least 180 days before this permit expires, unless permission for a later date has been granted by the Agency. (35 IAC 702.142 and 703.125)
7. **PERMIT EXPIRATION.** This permit and all conditions herein will remain in effect beyond the permit's expiration date if the Permittee has submitted a timely, complete application (see 35 IAC 703.181-703.209) and through no fault of the Permittee the Agency has not issued a new permit as set forth in 35 IAC 702.125.

8. NEED TO HALT OR REDUCE ACTIVITY NOT A DEFENSE. It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit. (35 IAC 702.143)
9. DUTY TO MITIGATE. In the event of noncompliance with the permit, the permittee shall take all reasonable steps to minimize releases to the environment, and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health or the environment. (35 IAC 702.144)
10. PROPER OPERATION AND MAINTENANCE. The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory, and process controls, including appropriate quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit. (35 IAC 702.145)
11. DUTY TO PROVIDE INFORMATION. The Permittee shall furnish to the Agency, within a reasonable time, any relevant information which the Agency may request to determine whether cause exists for modifying, revoking and reissuing or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Agency, upon request, copies of records required to be kept by this permit. (35 IAC 702.148)
12. INSPECTION AND ENTRY. The Permittee shall allow an authorized representative of the Agency, upon the presentation of credentials and other documents as may be required by law, to:
 - a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
 - b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
 - c. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
 - d. Sample or monitor, at reasonable times, for the purposes of assuring permit compliance or as otherwise authorized by the appropriate Act, any substances or parameters at any location. (35 IAC 702.149)

13. MONITORING AND RECORDS. (35 IAC 702.150)

- a. Samples and measurements taken for the purpose of monitoring shall be representative of the monitored activity. The method used to obtain a representative sample of the waste must be the appropriate method from Appendix A of 35 IAC 721. Laboratory methods must be those specified in Test Methods for Evaluating Solid Waste: Physical/Chemical Methods, SW-846, latest versions; Methods for Chemical Analysis of Water and Wastes, EPA-600/4-79-020, latest versions; or an equivalent method as specified in the approved Waste Analysis Plan.
- b. The Permittee shall retain records of all monitoring information, including all calibration and maintenance records and all original strip chart recordings for continuous monitoring instrumentation, copies of all reports and records required by this permit, and records of all data used to complete the application for this permit for a period of at least 3 years from the date of the sample, measurement, report or application. These periods may be extended by request of the Agency at any time. The permittee shall maintain records from all groundwater monitoring wells and associated groundwater surface elevations, for the active life of the facility, and for disposal facilities for the post-closure care period as well.
- c. Records of monitoring information shall include:
 - i. The date(s), exact place, and time of sampling or measurements;
 - ii. The individual(s) who performed the sampling or measurements;
 - iii. The date(s) analyses were performed;
 - iv. The individual(s) who performed the analyses;
 - v. The analytical technique(s) or method(s) used; and
 - vi. The result(s) of such analyses. (35 IAC 702.150)

14. REPORTING PLANNED CHANGES. The permittee shall give notice to the Agency as soon as possible of any planned physical alterations or additions to the permitted facility. For a new HWM facility, the permittee may not commence treatment, storage or disposal of hazardous waste; and for a facility being modified the permittee may not treat, store or dispose of hazardous waste in the modified portion of the facility, until:

- a. The permittee has submitted to the Agency by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and

b.

1. The Agency has inspected the modified or newly constructed facility and finds it is in compliance with the condition of the permit; or
2. If, within 15 days of the date of submission of the letter in paragraph (a), the permittee has not received notice from the Agency of its intent to inspect, prior inspection is waived and the permittee may commence treatment, storage or disposal of hazardous waste. (35 IAC 703.244 and 702.152(a))

15. ANTICIPATED NONCOMPLIANCE. The Permittee shall give advance notice to the Agency of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. For a new facility, the permittee shall not treat, store or dispose of hazardous waste; and for a facility being modified, the permittee shall not treat, store or dispose of hazardous waste in the modification portion of the facility, except as provided in Section 703.280, until:

a. The permittee has submitted to the Agency by certified mail or hand delivery a letter signed by the permittee and a registered professional engineer stating that the facility has been constructed or modified in compliance with the permit; and

b. Either:

1. The Agency has inspected the modified or newly constructed facility and finds it is in compliance with the conditions of the permit; or
2. Within 15 days after the date submission of the letter in section a above, the permittee has not received notice from the Agency of its intent to inspect, the permittee may commence treatment, storage or disposal of hazardous waste.

(35 IAC 702.152(b) and 703.247)

16. TRANSFER OF PERMITS. This permit is not transferable to any person except after notice to the Agency. The Agency may require modification of the permit to change the name of the permittee and incorporate such other requirements as may be necessary under the appropriate Act. (See Sections 703.260 and 703.270, in some cases modification is mandatory.) (35 IAC 702.152(c))

17. MONITORING REPORTS. Monitoring results shall be reported at the intervals specified in the permit. (35 IAC 702.152(d))

18. COMPLIANCE SCHEDULES. Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted no later than specified in 35 IAC 702.162. (35 IAC 702.152(e))

19. TWENTY-FOUR HOUR REPORTING.

- a. The Permittee shall report to the Agency any noncompliance with the permit which may endanger health or the environment. Any such information shall be reported orally within 24 hours from the time the Permittee becomes aware of the following circumstances. This report shall include the following:
 - i. Information concerning the release of any hazardous waste that may cause an endangerment to public drinking water supplies.
 - ii. Information concerning the release or discharge of any hazardous waste or of a fire or explosion at the HWM facility, which could threaten the environment or human health outside the facility.
- b. The description of the occurrence and its cause shall include:
 - i. Name, address, and telephone number of the owner or operator;
 - ii. Name, address, and telephone number of the facility;
 - iii. Date, time, and type of incident;
 - iv. Name and quantity of material(s) involved;
 - v. The extent of injuries, if any;
 - vi. An assessment of actual or potential hazards to the environment and human health outside the facility, where applicable; and
 - vii. Estimated quantity and disposition of recovered material that resulted from the incident.
- c. A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period of noncompliance including exact dates and times and if the noncompliance has not been corrected; the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent recurrence of the noncompliance. The Agency may waive the five day written notice requirement in favor of a written report within fifteen days. (35 IAC 702.152(f) and 703.245(b))

20. OTHER NONCOMPLIANCE. The Permittee shall report all instances of noncompliance not otherwise required to be reported under Standard Conditions 17, 18, and 19, at the time monitoring reports, as required by this permit, are submitted. The reports shall contain the information listed in Standard Condition 19. (35 IAC 702.152(g))
21. OTHER INFORMATION. Where the Permittee becomes aware that it failed to submit any relevant facts in the permit application, or submitted incorrect information in a permit application or in any report to the Agency, the Permittee shall promptly submit such facts or information. (35 IAC 702.152(h))
22. REPORTING REQUIREMENTS. The following reports required by 35 Ill. Adm. Code 724 shall be submitted in addition to those required by 35 Ill. Adm. Code 702.152 (reporting requirements):
- a. Manifest discrepancy report: if a significant discrepancy in a manifest is discovered, the permittee must attempt to reconcile the discrepancy with the waste generator or transporter. If the discrepancy is not resolved within 15 days after receiving the waste, the permittee must immediately submit to the Agency a letter describing the discrepancy and attempts to reconcile it and a copy of the manifest or shipping paper at issue. (35 IAC 724.172(b))
 - b. Unmanifested waste report: The permittee must submit to the Agency within 15 days of receipt of unmanifested waste an unmanifested waste report on EPA form 8700-13B. (35 IAC 724.176)
 - c. Annual report: an annual report must be submitted covering facility activities during the previous calendar year. (35 IAC 724.175)
23. SUBMITTAL OF REPORTS OR OTHER INFORMATION. All written reports or other written information required to be submitted by the terms of this permit shall be sent to:
- Illinois Environmental Protection Agency
Division of Land Pollution Control #24
Planning and Reporting Section
2200 Churchill Road
Post Office Box 19276
Springfield, Illinois 62794-9276
24. SIGNATORY REQUIREMENT. All permit applications, reports or information submitted to the Agency shall be signed and certified as required by 35 IAC 702.126. (35 IAC 702.151)

25. CONFIDENTIAL INFORMATION. Any claim of confidentiality must be asserted in accordance with 35 IAC 702.103 and 35 IAC 161.
26. DOCUMENTS TO BE MAINTAINED AT FACILITY SITE. The Permittee shall maintain at the facility, until closure is complete, the following documents and amendments, revisions and modifications to these documents:
 - a. Waste analysis plan as required by 35 IAC 724.113(b) and this permit.
 - b. Personnel training documents and records as required by 35 IAC 724.116(d) and this permit.
 - c. Contingency plan as required by 35 IAC 724.153(a) and this permit.
 - d. Closure plan as required by 35 IAC 724.212(a) and this permit.
 - e. Cost estimate for facility closure as required by 35 IAC 724.242(d) and this permit.
 - f. Operating record as required by 35 IAC 724.173 and this permit.
 - g. Inspection schedules as required by 35 IAC 724.115(b) and this permit.
27. WASTE MINIMIZATION. The Permittee shall certify at least annually that the Permittee has a program in place to reduce the volume and toxicity of hazardous waste that he generates to the degree determined by the Permittee to be economically practicable, and the proposed method of treatment, storage, or disposal is that practicable method currently available to the Permittee which minimizes the present and future threat to human health and the environment, in accordance with 35 IAC 724.173(b)(9).

GENERAL FACILITY STANDARDS

28. NOTICE OF WASTE FROM A FOREIGN SOURCE. The permittee who has arranged to receive hazardous waste from a foreign source must notify the Regional Administrator in writing at least four weeks in advance of the date the waste is expected at the facility. (35 IAC 724.112(a))
29. NOTICE OF WASTE FROM OFF-SITE. The Permittee who receives hazardous waste from an off-site source (except where the Permittee is also the generator), must inform the generator in writing that the permittee has the appropriate permits for, and will accept, the waste the generator is shipping. The Permittee must keep a copy of this written notice as part of the facility operating record. (35 IAC 724.112(b))

30. GENERAL WASTE ANALYSIS. The Permittee shall comply with the procedures described in the approved waste analysis plan. (35 IAC 724.113)
31. SECURITY. The Permittee shall comply with the security provisions of 35 IAC 724.114(b) and (c).
32. GENERAL INSPECTION REQUIREMENTS. The Permittee shall follow the approved inspection schedule. The Permittee shall remedy any deterioration or malfunction discovered by an inspection as required by 35 IAC 724.115(c). Records of inspections shall be kept as required by 35 IAC 724.115(d).
33. PERSONNEL TRAINING. The Permittee shall conduct personnel training as required by 35 IAC 724.116 and shall maintain training documents and records as required by 35 IAC 724.116(d) and (e).
34. GENERAL REQUIREMENTS FOR IGNITABLE, REACTIVE, OR INCOMPATIBLE WASTE. The Permittee shall comply with the requirements of 35 IAC 724.117.

PREPAREDNESS AND PREVENTION

35. DESIGN AND OPERATION OF FACILITY. The Permittee shall maintain and operate the facility to minimize the possibility of fire, explosion, or any unplanned sudden or non-sudden release of hazardous waste constituents to air, soil, or surface water which could threaten human health or the environment. (35 IAC 724.131)
36. REQUIRED EQUIPMENT. The Permittee shall equip the facility with the equipment set forth in the approved contingency plan, as required by 35 IAC 724.132.
37. TESTING AND MAINTENANCE OF EQUIPMENT. The Permittee shall test and maintain the equipment specified in condition 36 as necessary to assure its proper operation in time of emergency. Such testing and maintenance activities are set forth in the approved inspection schedule. (35 IAC 724.133)
38. ACCESS TO COMMUNICATIONS OR ALARM SYSTEM. The Permittee shall maintain access to the communications or alarm system as required by 35 IAC 724.134.
39. REQUIRED AISLE SPACE. The Permittee shall maintain aisle space as required by 35 IAC 724.135 and National Fire Protection Association (NFPA) requirements.
40. ARRANGEMENTS WITH STATE AND LOCAL AUTHORITIES AND EMERGENCY RESPONSE CONTRACTORS. The Permittee shall attempt to make emergency response arrangements with State and local authorities and agreements with State emergency response teams and emergency response contractors and equipment suppliers as required by 35 IAC 724.137. If State or local officials

refuse to enter in preparedness and prevention arrangements with the Permittee, the Permittee must document this refusal in the operating record.

CONTINGENCY PLAN

41. IMPLEMENTATION OF PLAN. The provisions of the contingency plan must be carried out by the Permittee immediately whenever there is a fire, explosion or release of hazardous waste or hazardous waste constituents which could threaten human health or the environment (35 IAC 724.151(b)). At a minimum, this includes any fire or explosion which occurs in an area where hazardous waste is being managed (treated, stored or disposed). Within 15 days of any incident that requires implementation of the contingency plan, the owner or operator must submit a written report to the Agency as required by 35 IAC 724.156(j).
42. COPIES OF PLAN. A copy of the contingency plan, including any revisions, must be maintained at the facility and submitted to all local police and fire departments, hospitals and state and local emergency response teams as required by 35 IAC 724.153.
43. AMENDMENTS TO PLAN. The Permittee shall review and immediately amend, if necessary, the contingency plan, as required by 35 IAC 724.154.
44. EMERGENCY COORDINATOR. A trained emergency coordinator shall be available at all times in case of an emergency as required by 35 IAC 724.155 and 724.156.

MANIFEST SYSTEM RECORD KEEPING AND REPORTING

45. MANIFEST SYSTEM. The Permittee shall comply with the manifest requirements of 35 IAC 724.171, 724.172 and 724.176.
46. OPERATING RECORD. The Permittee shall maintain a written operating record at the facility in accordance with 35 IAC 724.173.
47. ANNUAL REPORT. The Permittee shall prepare and submit an annual report to the Agency prior to March 1st of each year in accordance with the requirements of 35 IAC 724.175.

CLOSURE

48. PERFORMANCE STANDARD. The Permittee shall close the facility as required by 35 IAC 724.211 and in accordance with the approved closure plan.
49. AMENDMENT TO CLOSURE PLAN. The Permittee must amend the closure plan whenever there is a change in the expected year of closure or whenever a change in the facility operation plans or facility design affects the closure plan pursuant to 35 IAC 724.212(c).

50. NOTIFICATION OF CLOSURE. The Permittee shall notify the Agency at least 60 days prior to the date it expects to begin closure. (35 IAC 724.212(d))
51. TIME ALLOWED FOR CLOSURE. After receiving the final volume of hazardous waste, the Permittee shall treat or remove from the site all hazardous waste and complete closure activities in accordance with the schedule(s) specified in the closure plan. (35 IAC 724.213)
52. DISPOSAL AND/OR DECONTAMINATION OF EQUIPMENT. When closure is completed, the Permittee shall decontaminate and/or dispose of all facility equipment and structures as required by the approved closure plan (35 IAC 724.214).
53. CERTIFICATION OF CLOSURE. When closure is completed, the Permittee shall submit certification to the Agency in accordance with 35 IAC 724.215 that the facility has been closed as specified by the approved closure plans.
54. COST ESTIMATE FOR FACILITY CLOSURE. The Permittee's original closure cost estimate, prepared in accordance with 35 IAC 724.242, must be:
 - a. Adjusted for inflation either 60 days prior to each anniversary of the date on which the first closure cost estimate was prepared or if using the financial test or corporate guarantee, within 30 days after close of the firm's fiscal year.
 - b. Revised whenever there is a change in the facility's closure plan increasing the cost of closure.
 - c. Kept on record at the facility and updated. (35 IAC 724.242)
55. FINANCIAL ASSURANCE FOR FACILITY CLOSURE. The Permittee shall demonstrate compliance with 35 IAC 724.243 by providing documentation of financial assurance, as required by 35 IAC 724.251, in at least the amount of the cost estimates required by the previous Permit Condition. Changes in financial assurance mechanisms must be approved by the Agency pursuant to 35 IAC 724.243.
56. LIABILITY REQUIREMENTS. The Permittee shall demonstrate continuous compliance with the requirements of 35 IAC 724.247 and the documentation requirements of 35 IAC 724.251.
57. IN CAPACITY OF OWNERS OR OPERATORS, GUARANTORS, OR FINANCIAL INSTITUTIONS. The Permittee shall comply with 35 IAC 724.248 whenever necessary.

LAND DISPOSAL RESTRICTIONS

58. **DISPOSAL PROHIBITION.** Any waste identified in 35 IAC Part 728, Subpart C, or any mixture of such a waste with nonrestricted wastes, is prohibited from land disposal unless it meets the standards of 35 IAC Part 728, Subpart D, or unless it meets the requirements for exemptions under Subpart C. "Land disposal" means placement in or on the land and includes, but is not limited to, placement in a landfill, surface impoundment, waste pile, injection well, land treatment facility, or vault intended for disposal.
59. **DILUTION PROHIBITION.** The Permittee shall not in any way dilute a restricted waste or residual from treatment of a restricted waste as a substitute for adequate treatment in order to achieve compliance with 35 IAC 728, Subpart D (35 IAC 728.103).
60. **WASTE ANALYSIS.**
1. The Permittee must test his waste or extract developed, using the test method identified in Appendix I of 40 CFR Part 268, or use knowledge of the waste, to determine if the waste is restricted from land disposal.
 2. For any waste with treatment standards expressed as concentrations in the waste extract, the Permittee must test the treatment residues or an extract of such residues developed using the test method described in Appendix I of 40 CFR Part 268, to assure that the treatment residues or extract meet the applicable treatment standard.
 3. If the treatment residues do not meet the treatment standards, or if the Permittee ships any restricted wastes to a different facility, the Permittee shall comply with the requirements applicable to generators in 35 IAC 728.107 and 728.150(a)(1).

61. STORAGE RESTRICTIONS

1. The Permittee shall not store hazardous wastes restricted from land disposal under 35 IAC Part 728, Subpart C unless such wastes are stored only in containers or tanks, and are stored solely for the purpose of the accumulation of such quantities as is necessary to facilitate proper recovery, treatment, or disposal, and: (1) each container is clearly marked to identify its contents and the date each period of accumulation begins; (2) each tank is clearly marked to identify its contents, the quantity of each hazardous waste received, and the date each period of accumulation begins, as required by 35 IAC 728.150 or such information is recorded and maintained in the operating records at the facility.

2. The Permittee must comply with the operating record requirements of 35 IAC 724.173.

62. NEW DETERMINATIONS OF PROHIBITED WASTES

Wastes which are prohibited from land disposal under 35 IAC Part 728, Subpart C, or for which treatment standards have been established under 35 IAC 728, Subpart D, subsequent to the date of issuance of this permit, shall be subject to the conditions number 58 through 61 above.

Attachment A

**Wastes which can be accepted and
Hazardous Waste Identification Numbers**

ILD093862811

Hazardous Waste No.

Description of Hazardous Waste

A. Characteristically hazardous waste

- | | |
|------|--|
| D001 | Solid waste that exhibits the characteristic of ignitability, but is not listed as a hazardous waste. |
| D002 | Solid waste that exhibits the characteristic of corrosivity, but is not listed as a hazardous waste. |
| D004 | Solid waste exhibiting the characteristic of TCLP toxicity for arsenic at 5.0 mg/l or more. |
| D005 | Solid waste exhibiting the characteristic of TCLP toxicity for barium at 100 mg/l or more. |
| D006 | Solid waste exhibiting the characteristic of TCLP toxicity for cadmium at 1.0 mg/l or more. |
| D007 | Solid waste exhibiting the characteristic of TCLP toxicity for chromium at 5.0 mg/l or more. |
| D008 | Solid waste exhibiting the characteristic of TCLP toxicity for lead at 5.0 mg/l or more. |
| D009 | Solid waste exhibiting the characteristic of TCLP toxicity for mercury at 0.2 mg/l or more. |
| D010 | Solid waste exhibiting the characteristic of TCLP toxicity for selenium at 1.0 mg/l or more. |
| D011 | Solid waste exhibiting the characteristic of TCLP toxicity for silver at 5.0 mg/l or more. |
| D018 | Solid waste exhibiting the characteristic of TCLP toxicity for benzene at 0.5 mg/l or more. |
| D019 | Solid waste exhibiting the characteristic of TCLP toxicity for carbon tetrachloride at 0.5 mg/l or more. |
| D021 | Solid waste exhibiting the characteristic of TCLP toxicity for chlorobenzene at 100.0 mg/l or more. |
| D022 | Solid waste exhibiting the characteristic of TCLP toxicity for chloroform at 6.0 mg/l or more. |
| D023 | Solid waste exhibiting the characteristic of TCLP toxicity for o-cresol at 200.0 mg/l or more. |

- D024 Solid waste exhibiting the characteristic of TCLP toxicity for m-cresol at 200.0 mg/l or more.
- D025 Solid waste exhibiting the characteristic of TCLP toxicity for p-cresol at 200.0 mg/l or more.
- D026 Solid waste exhibiting the characteristic of TCLP toxicity for cresol at 200.0 mg/l or more.
- D027 Solid waste exhibiting the characteristic of TCLP toxicity for 1,4 dichlorobenzene at 7.5 mg/l or more.
- D028 Solid waste exhibiting the characteristic of TCLP toxicity for 1,2 dichloroethane at 0.5 mg/l or more.
- D029 Solid waste exhibiting the characteristic of TCLP toxicity for 1,1 dichloroethylene at 0.7 mg/l or more.
- D030 Solid waste exhibiting the characteristic of TCLP toxicity for 2,4 dinitrotoluene at 0.13 mg/l or more.
- D032 Solid waste exhibiting the characteristic of TCLP toxicity for hexachlorobenzene at 0.13 mg/l or more.
- D033 Solid waste exhibiting the characteristic of TCLP toxicity for hexachlorobutadiene at 0.5 mg/l or more.
- D034 Solid waste exhibiting the characteristic of TCLP toxicity for hexachloroethane at 3.0 mg/l or more.
- D035 Solid waste exhibiting the characteristic of TCLP toxicity for methyl ethyl ketone at 200.0 mg/l or more.
- D036 Solid waste exhibiting the characteristic of TCLP toxicity for nitrobenzene at 2.0 mg/l or more.
- D037 Solid waste exhibiting the characteristic of TCLP toxicity for pentachlorophenol at 100.0 mg/l or more.
- D038 Solid waste exhibiting the characteristic of TCLP toxicity for pyridine at 5.0 mg/l or more.
- D039 Solid waste exhibiting the characteristic of TCLP toxicity for tetrachloroethylene at 0.7 mg/l or more.
- D040 Solid waste exhibiting the characteristic of TCLP toxicity for trichloroethylene at 0.5 mg/l or more.
- D041 Solid waste exhibiting the characteristic of TCLP toxicity for 2,4,5 trichlorophenol at 400.0 mg/l or more.

- D042 Solid waste exhibiting the characteristic of TCLP toxicity for 2,4,6 trichlorophenol at 2.0 mg/l or more.
- D043 Solid waste exhibiting the characteristic of TCLP toxicity for vinyl chloride at 0.2 mg/l or more.

B. Hazardous wastes from non-specific sources

- F002 The following spent halogenated solvents: tetrachloroethylene, methylene chloride, trichloroethylene, 1,1,1-trichloroethane, chlorobenzene, 1,1,2-trichloro-1,2,2-trifluoroethane, orthodichlorobenzene, trichlorofluoromethane, 1,1,2-trichloroethane, spent solvent mixtures and blends, and the still bottoms from the recovery of these spent solvents and spent solvent mixtures.
- F003 The following spent non-halogenated solvents: xylene, acetone, ethyl acetate, ethyl benzene, ethyl ether, methyl isobutyl ketone, n-butyl alcohol, cyclohexanone, methanol, spent solvent mixtures and blends, and the still bottoms from the recovery of these spent solvents and spent solvent mixtures.
- F004 The following spent non-halogenated solvents: cresols and cresylic acid, nitrobenzene, spent solvent mixtures and blends, and still bottoms from the recovery of these spent solvents and spent solvent mixtures.
- F005 The following spent non-halogenated solvents: toluene, methyl ethyl ketone, carbon disulfide, isobutanol, pyridine, benzene, 2-ethoxyethanol, 2-nitropropane, spent solvent mixtures and blends, and the still bottoms from the recovery of these spent solvents and spent solvent mixtures.

Attachment B
Inspection Schedule
ILD093862811

Table I: General Inspection Schedule
Security Devices

<u>ITEM</u>	<u>INSPECTION ELEMENT/TYPE OF PROBLEM</u>	<u>INSPECTION FREQUENCY</u>
Fence	. Inspect entire perimeter for breaches or damage	Weekly
Gates	. Check for proper gate lock function	Weekly
Warning Signs	. Check for presence of warning signs	Monthly
Lighting System	. Check lights for operability	Monthly

Table II: General Inspection Schedule,
Safety & Emergency Equipment

Protective Gear (e.g., Helmets, Face Shields, Goggles, Boots, Gloves, Acid Resistent Clothing, Disposable Suits, Disposable Bags*)	. Check accessibility	Monthly
	. Check for adequate supply	Monthly
	. Check for deterioration, damage	Monthly
First Aid Kits	. Check accessibility	Monthly
	. Check for adequate supply	Monthly
Emergency Showers	. Check that units activate and shut off properly	Weekly
	. Check accessibility	Weekly
Internal (Phone or Radio)/External (Phase) Communications Systems	. Check accessibility	Weekly
	. Check for operations	Monthly
Fire Extinguishers	. Check pressure gauge for full charge indication	Monthly
	. Check inspection tag to insure annual maintenance by outside fire service is up-to-date	Monthly

<u>ITEM</u>	<u>INSPECTION ELEMENT/TYPE OF PROBLEM</u>	<u>INSPECTION FREQUENCY</u>
	. Check seal to ensure no one has used extinguisher	Monthly
	. Check to ensure access to units is not blocked	Weekly
Absorbent Supply	. Check for adequate supply	Weekly
Recovery Drums	. Check for adequate supply	Weekly
Other Emergency and Decontamination Equipment	. Check accessibility	Weekly
	. Check for adequate supply	Monthly
	. Check for deterioration/damage	Monthly
Alternate power supply for alarm system	. Check for disconnection or low charge	Monthly
Respirators and cartridges	. Check for adequate supply	Monthly
Fire department pull stations	. Check for operability and accessibility, location signs	Monthly

Table III: Tank Farms Inspection Schedule

Storage Tanks Containment Area	. Check for evidence of spilled materials	Daily
	. Check for cracks and gaps in, or damage to containment base, sumps and drains, and their coatings	Daily
	. Check for evidence of seepage outside containment (e.g. discoloration)	Daily
	. Check for debris, cleanup residue, improperly stored equipment	Daily

<u>ITEM</u>	<u>INSPECTION ELEMENT/TYPE OF PROBLEM</u>	<u>INSPECTION FREQUENCY</u>
Storage Tanks	. Inspect tank exterior for cracks, leaks, discoloration, and obvious deformation	Daily
	. Check tank integrity	Annually
Access Hatches, Vents, and Sampling Ports	. Check for leaks	Daily
	. Check for damage	Daily
Fill/Drain and Overflow Piping	. Inspect piping for leaks	Daily
	. Inspect valve seals for leaks	Daily
	. Check that handles are not bent or damaged	Daily
Liquid Levels	. Check if operators log book is up to date	Daily
	. Check tank liquid level indicators for operability	Daily
All Ancillary Equipment	. Visual inspection for leaks	Daily
	. Conduct leak test or approved integrity assessment	Annually
Tank Truck loading/ Unloading Area	. Check for evidence of spills or releases in unloading area	Daily
	. Check for removal of spill absorbent and cleanup materials	Daily
	. Check sump, grating and curbs for cracks or other damage	Daily
	. Inspect hoses for deterioration or leakage	Daily
	. Inspect hose couplings and valves for leakage	Daily
	. Inspect containment system for deterioration	Weekly

Table IV: Container Storage Area Inspection Schedule

<u>ITEM</u>	<u>INSPECTION ELEMENT/TYPE OF PROBLEM</u>	<u>INSPECTION FREQUENCY</u>
Container Storage	. Check for evidence of spilled material on slab, ramps, drains, sumps	Daily
	. Check for removal of absorbent materials and cleanup rags	Daily
	. Check for, cracks and gaps in, or damage to, containment bases, sump and drains and coatings	Weekly
	. Check for erosion, uneven settlement, etc.	Weekly
	. Check for corrosion of grating over drains and sumps	Weekly
	. Check for condition and availability of overpack containers	Weekly
Stored Containers	. Check for drum leaks or swelling	Daily
	. Check that drums are not open	Daily
	. Check for proper placement	Daily
	. Check adequacy of aisle space	Daily
	. Check height of stacks	Daily
	. Check capacity not exceeded	Daily
	. Check for proper labeling	Daily

ATTACHMENT C
CLOSURE CERTIFICATION FORM
ILD093862811

This statement is to be completed by both the responsible officer and by the registered professional engineer upon completion of closure. Submit one copy of the certification with original signatures and three additional copies.

Closure Certification Statement

The hazardous waste management T01 units at the facility described in this document have been closed in accordance with the specifications in the approved closure plan. I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

USEPA ID Number

Facility Name

Signature of Owner/Operator

Name and Title

Signature of Registered P.E.

Name of Registered P.E. and Illinois
Registration Number

Date

ATTACHMENT D
ADDITIONAL SPECIAL CONDITIONS
ILD093862811

ADDITIONAL SPECIAL CONDITIONS

I. Receipt Analysis

- A. The Permittee shall take one sample of immersion cleaner from every tenth generator that ships wastes to the Pekin Service Center and conduct flash point analysis on that sample. If the analysis indicates that the immersion cleaner is characteristically ignitable, the generator's shipment of immersion cleaner that contained the ignitable immersion cleaner shall be stored as ignitable.
- B. All used oil which contains greater than 1,000 ppm halogens which cannot be adequately rebutted are hazardous wastes and must be handled accordingly (i.e., they cannot be processed into an on-specification or off-specification used oil fuel).

II. Reporting Requirements

- A. Any incident which requires implementation of the contingency plan shall be recorded in the facilities operating record in an incident log which is maintained separate from the facilities other operating records. The incident log must include a copy of each incident report. The incident report must include, at a minimum, the waste management units involved in the incident, the cause of the release, measures taken to correct the situation and prevent a reoccurrence in addition to the information identified in the approved application.

III. Closure

- A. At least 180 days prior to closure of any hazardous waste management unit at this facility the permittee shall submit a closure plan modification to insure closure complies with the current Agency standards in effect at the time of closure.

IV. General Operating Requirements

- A. Within 60 days of the effective date of this permit, the Permittee shall submit a certification from a qualified, licensed, independent engineer that the 10,000 gallon horizontal tank and piping have been painted in accordance with the recommendations made by Questec Corporation in the installation assessment of the used antifreeze storage tank system dated April 14, 1993 and submitted as Exhibit D-8a of the approved permit application.

The Permittee shall not store antifreeze in this tank until the certification identified above is reviewed and approved by the Agency.

- B. Storage of transfer wastes that have been stored on site for greater than ten days is prohibited. This activity is a violation of the RCRA Part B Permit. If such a violation occurred in each storage unit in which the transfer waste was stored, each unit in which the violation occurred would be required to obtain a RCRA permit or to undergo closure at that time.
- C. Non-hazardous waste shall not be stored in any unit which has not been permitted under 35 IAC 807.201 or 35 IAC 724.270.

V. Contingency Plan

- A. The contingency plan must be implemented whenever there is a fire, explosion or spill which involves hazardous waste or which occurs in areas where hazardous waste is treated or stored. This includes spills within the containment system. A spill is any release of material outside the permitted unit, into or outside of the containment system.
- B. The Permittee shall contact the local emergency response entities immediately after implementation of the contingency plan unless the spill is less than one pound of waste immersion cleaner, or 50 gallons of spent antifreeze or spent mineral spirits and it is immediately contained and cleaned up.
 - 1. The entities which must be notified include:
 - a. Police Department
 - b. Cincinnati Township Fire Department
 - c. Pekin Memorial Hospital
 - d. IESDA (IEMA)
 - e. National Response Center
 - f. DLPC, FOS -- Peoria Region (within 24 hours)
 - 2. The information which must be initially relayed to each entity includes:
 - a. The type of emergency (release, fire or explosion);
 - b. The type of wastes involved in the emergency and the approximate quantity involved;
 - c. An initial assessment of the conditions at the site; and whether outside help is needed to properly respond to the situation.

3. If the Permittee is able to properly respond to the emergency without any aid from the entities identified in Condition 2.a above, the Permittee shall notify each of these entities that the emergency situation no longer exists once all required emergency response and cleanup activities have been completed.
- C. Within 60 days of the effective date of this permit, the Permittee shall demonstrate to the Agency that the following information has been provided to the local fire department, the local police department and all other agencies identified in 35 IAC 724.153(b) (Note that this information must be provided to these entities to ensure the requirements of 35 IAC 724.137 are met):
1. A list of all hazardous wastes to be managed at the facility (generic name) including the USEPA hazardous waste number;
 2. A scaled drawing showing the location of all hazardous waste management units at the facility and all other areas where waste is managed at the facility (such as loading/unloading areas, etc.). This scaled drawing must also identify the entrances to the facility, roads within the facility and possible evacuation routes;
 3. A description of the types of waste managed at each hazardous waste management unit at the facility;
 4. A description of the procedures used to handle waste at the facility;
 5. An estimate of the quantity of the various types of waste which may be present at the facility. An estimate of the typical inventory of wastes at the facility must also be included;
 6. The following information regarding the properties of the wastes managed at the facility:
 - Name
 - USEPA Hazardous Waste Number
 - CAS Number
 - IDLH
 - TLVs (TLV-TWA, TLV-STEL, TLV-C)
 - Boiling Point (if applicable)
 - Vapor pressure at two temperatures
 - NFPA Designation (flammable or combustible)
 - Material Safety Data Sheets
 - Other appropriate characteristics (such as reactive class, etc.)
 - USDOT classification

7. An identification of the products of incomplete combustion associated with (1) flammable or combustible hazardous wastes managed at the facility and (2) wastes managed at the facility which are hazardous due to the characteristic of ignitability (D001) or reactivity (D003).
- D. Within sixty (60) days of the effective date of this permit the Permittee shall provide documentation to the Agency that the agreements and arrangements identified below have been made. Where necessary, documentation must be provided that any agency identified in 35 IAC 724.153(b) declined to enter an agreement or arrangement. The specific arrangements and agreements which must be made include:
1. Arrangements to familiarize the local police department, local fire departments and other local emergency response teams with the layout of the facility, properties of hazardous wastes handled at the facility and associated hazards, places where facility personnel would normally be working, entrances to and roads inside the facility and possible evacuation routes.
 2. Agreements designating primary emergency authority to a specific police department and a specific fire department, where more than one police department and fire department might respond to an emergency. Agreements should also be made with the other surrounding police and fire departments to provide support to the primary emergency authorities;
 3. Agreements with state emergency response teams, emergency response contractors and equipment suppliers;
 4. Arrangements to familiarize local hospitals with the properties of the hazardous wastes handled at the facility and the types of injuries or illnesses which could result from fires, explosions or releases at the facility;
 5. Arrangements to identify a single local emergency response agency as the primary agency which will coordinate activities required by these agencies during an emergency at the facility.

The facility should also attempt to develop emergency plans and coordination agreements with the state and local emergency entities identified above. The detail of the arrangements made with the local and state emergency entities will be dependent upon the types of waste handled at the facility and the potential need for the services of the various entities.

- E. The Permittee shall review all components of the contingency plan with the local emergency response entities within 12 months of the effective date of the permit and each year afterwards. Copies of the meeting notes and list of attendees shall be placed in the facility's operating record and be available to the Agency for review upon verbal or written request.

VI. Corrective Action

- A. The Agency review of the Corrective Action Plan will be subject to the appeal provisions contained in Section 40 of the Illinois Environmental Protection Act.

VII. Financial Assurance

Financial assurance for the amount identified in Attachment G shall be submitted within 30 days of the effective date of this permit.

ATTACHMENT E

REQUIRED SCOPE OF WORK FOR A RCRA
FACILITY INVESTIGATION

ILD093862811

Scope of Work for a RCRA Facility Investigation
Safety-Kleen Corporation
ILD093862811
LPC #1790600011
Part B Log #96

This Scope of Work relates specifically to the RCRA Facility Investigation (RFI) of the solid waste management units identified in Section IV of this RCRA Permit, which the Permittee is required to perform under the terms of their RCRA permit. In this Scope of Work, "Agency's DLPC" refers to the Illinois Environmental Protection Agency's Division of Land Pollution Control, "Permittee" refers to Safety Kleen Corporation and "SWMU" refers to Solid Waste Management Unit.

I. PURPOSE

The purpose of the RFI is to determine the nature and extent of releases of hazardous waste or hazardous constituents, if any, from SWMUs located at the facility and to gather data necessary to prepare a Corrective Action Plan (CAP). Specifically, the information gathered during the RFI will be used to help determine the need, scope and design of a corrective action program.

II. SCOPE OF WORK

The Scope of Work for the RFI is divided into three phases -- Phase I, II and III.

1. The purpose of Phase I is to provide information on the characteristics and integrity of each unit and conduct field activities, as necessary, to determine if a SWMU has released, is currently releasing, or has the potential to release hazardous waste and/or hazardous constituents to the soil or air which may be impacted for that SWMU.
2. Phase II of the RFI will be required if the Agency's DLPC determines from the data obtained in Phase I that, for any SWMU, (1) a release has occurred to the soil or air, (2) a release is occurring to the soil or air, or (3) the results are inconclusive. The purpose of Phase II is to define the extent of releases to the soil or air from these SWMUs.
3. Phase III will be required if the Agency's DLPC determines from the data obtained in Phase II that hazardous wastes or hazardous constituents may have migrated to the groundwater. The purpose of Phase III is to define the extent of releases both on-site and off-site to the ground water from SWMUs identified in Phase I or II to have potentially released hazardous waste or hazardous constituents to the groundwater.

Each phase of the investigation is divided into three subparts. The first subpart deals with the development of a RFI Workplan by the Permittee. The second subpart is the implementation of the RFI. The final subpart covers the submission of reports of activities and results of the RFI.

III. RFI WORKPLANS

The Permittee shall prepare a detailed workplan for each phase of the RFI which contains detailed background information related to the facility and the SWMUs listed in Condition B.1 of Section IV of the permit and which describes procedures for each phase of the RFI in accordance with the schedule in Section IV of the permit. The RFI Workplan must, at a minimum, contain the information identified in III.A-III.H below. The information in the workplan must be presented in a manner which is similar to the format set forth in these sections. Information provided in each Phase of the RFI may be incorporated into the workplan for the subsequent Phase by reference. Information already submitted in the Part B permit application may also be incorporated by reference into the workplans when appropriate.

A. GENERAL FACILITY INFORMATION

The following information must be provided (to the extent known) in the Phase I RFI Workplan regarding the facility overall:

1. A description of the facility, including the nature of its business, both past and present. This description should identify (1) the size and location of the facility, (2) the raw materials used and products manufactured at the facility, and (3) the Standard Industrial Code which describes the type of activities carried out at the facility;
2. Identification of past and present owners;
3. A discussion of the facility's past and present operations, including solid and hazardous waste generation, storage, treatment and disposal activities;
4. A brief discussion of each of the SWMUs identified in Condition B.1 of Section IV of this permit;
5. A description of all significant surface features (ponds, streams, depressions, etc.) and wells within 1,500 feet of the facility;
6. A description of all land usage within 1,500 feet of the facility, including all known SWMUs;

7. Identification of all human populations and environmental systems susceptible to contaminant exposure from releases from the SWMUs within a distance of at least 1,500 feet of the facility;
8. A description of any interim corrective action measures which were or are being planned or undertaken at the facility;
9. Approximate dates or periods of past spills or releases, identification of material spilled, amount spilled, location, and a description of the response actions, including any inspection reports or technical reports generated as a result of the spill or release.
10. A current topographic map(s) showing a distance of at least 1,500 feet around the facility and other information described below, and at a scale of one inch equal to not more than 200 feet. Contours shall be shown on the map, with the contour interval being sufficient to clearly show the pattern of surface water flow. If such a map is not available, the workplan shall describe the method for generating the map for inclusion in the Phase I report. The map shall clearly show the following:
 - a. Map scale, North arrow, date, and location of facility with respect to Township, Range and Section;
 - b. Topography and surface drainage depicting all waterways, wetlands, 100-year floodplain, drainage patterns, and surface water areas;
 - c. Property lines, with the owners of all adjacent property clearly indicated;
 - d. Surrounding land use;
 - e. Locations and boundaries of (1) all solid waste, including hazardous waste, management units, both past and present, (2) spill areas and (3) other suspected areas of contamination;
 - f. All injection and withdrawal wells; and
 - g. All buildings, tanks, piles, utilities, paved areas, easements, rights-of-way, and other features including all known past and present product and waste underground tanks or piping.

The map(s) shall be of sufficient detail and accuracy to locate and report all current and future RFI work performed at the site. The base map(s) shall be submitted in the Phase I report and modified in subsequent reports and workplans as appropriate.

B. NATURE AND EXTENT OF CONTAMINATION

The Phase I Workplan must contain the following information, to the extent known, for each of SWMUs identified in Condition B.1 of Section IV of the permit:

1. Location of unit/area;
2. The horizontal and vertical boundaries of each unit/area;
3. Details regarding the construction, operation and structural integrity of each unit/area;
4. A description of all materials managed and/or disposed at each SWMU including, but not limited to, solid waste, hazardous wastes, and hazardous constituents to the extent they are known or suspected over the life of the facility including:
 - (a) Type of waste or hazardous constituents placed in the units, including source, hazardous classification, quantity and chemical composition;
 - (b) Physical and chemical characteristics, including physical form, physical description, general chemical class, and cohesiveness of the waste;
5. Quantities of solid and hazardous wastes managed by the unit;
6. The history of the utilization of each SWMU and the surrounding areas, including the period of operation and age of the unit;
7. Methods used to close the unit, if applicable;
8. All available data and qualitative information on the level of contamination present at the SWMU;
9. A description of the existing degree and extent of contamination at each unit area;
10. Identification of additional information which must be gathered regarding 1 thru 9 above;

C. ADMINISTRATIVE OUTLINE

The Permittee shall submit as part of each Phase Workplan a general outline defining the RFI objectives, technical approach, and scheduling of tasks during that phase of the RFI. The Permittee shall prepare a Project Management Plan as part of each Phase Workplan which will include a discussion of the technical approach, schedules, budget, and personnel. The Project Management Plan must also include a description of the qualifications of personnel performing or directing the RFI, including contractor personnel. This plan shall also document the overall management approach to the current Phase of the RFI.

D. SITE-SPECIFIC SAMPLING PLANS

The Permittee shall prepare detailed site-specific sampling plans for each phase of the RFI which address all field activities needed to obtain site-specific data. The plans must contain: a statement of sampling objectives, specifications of equipment, analyses of interest, sample types, sample locations and schedules for sampling. Wherever appropriate, Test Methods for Evaluating Solid Wastes, Third Edition, (SW-846), including Final Update I, sampling, analysis, and statistical methods shall be utilized. The plans must address all levels of the investigations, as well as types of investigations conducted on specific environmental media (i.e., soil, air, surface water, groundwater). The plans must describe in detail how each phase of the RFI will be implemented.

1. Phase I Sampling and Analysis Plan

The Phase I Sampling and Analysis Plan must describe methods to determine whether any of the SWMUs to be investigated have released or are currently releasing hazardous waste or hazardous constituents into the environment. This Phase I Sampling Plan shall be submitted as part of the RFI Phase I Workplan. The workplan must contain procedures for a:

a. Soils Investigation

The Phase I Workplan must provide for a determination of the presence or absence of releases of hazardous waste and hazardous constituents into the soil around and under each SWMU which must be investigated, based upon the information present in the Phase I Work Plan. To meet this requirement, the workplan must identify:

- (1) The procedures which will be used to describe and characterize the soils in and around the subject SWMU(s) down to the water table, including, but not limited to the following:
 - (a) Unified soil classification;
 - (b) Soil profile; and
 - (c) Elevation of water table;
- (2) The parameters and hazardous constituents to be used to establish the presence or absence of a plume of contamination. These must include, but are not limited to, specific hazardous constituents of wastes known or suspected to have been managed by the SWMU(s) as identified and determined by the unit characterization information presented in the work plan;
- (3) The basis for selecting the parameters and constituents in (3) above;
- (4) The methodology for choosing sampling locations, depths, and numbers of samples;
- (5) Sampling procedures for each parameter or constituent to be analyzed. All soil samples taken must be handled in accordance with 40 CFR 261, Appendix III and the Agency's DLPC soil volatile sampling procedure if volatiles are to be analyzed. All other environmental media samples must be collected and handled in accordance with EPA approved and standardized methods for evaluation of solid wastes;
- (6) Analytical methods to be used in the analysis of the samples. If any of these methods is not consistent with those specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (U.S. EPA SW-846), a complete description of the methods to be used and the justification for not using the appropriate SW-846 methods must be provided, and
- (7) Procedures and criteria for evaluating analytical results to establish the presence or absence of any contamination.

2. Phase II Sampling and Analysis Plan

The Phase II Sampling and Analysis plan, if necessary, must describe procedures to determine the nature and extent of hazardous waste and/or hazardous constituents released to the soil. This workplan shall address and/or include, at a minimum:

- (1) A description of what is known about the horizontal and vertical extent of contamination;
- (2) A description of relevant contaminant and environmental chemical properties within the affected source area and plume, including solubility, specific absorption, leachability, exchange capacity biodegradability, hydrolysis, photolysis, oxidation and other factors that might affect contaminant migration and transformation (if known);
- (3) Specific contaminant concentrations, if known;
- (4) The horizontal and vertical velocity and direction of contaminant movement (if known);
- (5) An extrapolation of future contaminant movement (if known);
- (6) The methods and criteria to be used to define the boundaries of the plume(s) of contamination;
- (7) The parameters and constituents to be used to establish the presence or absence of a plume of contamination. This must include, but need not be limited to, specific hazardous constituents of wastes known or suspected to have been placed in the SWMUs;
- (8) The basis for selecting the parameters and constituents in 7 above;
- (9) The methodology for choosing sampling locations depths, and numbers of samples;
- (10) Sampling procedures for each parameter or constituent to be analyzed;
- (11) Analytical methods to be used in the analysis of the samples. If any of these methods are not identical to those specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods, (US EPA SW-846), a complete description of the methods to be used and the justification for not using the SW-846 methods shall be provided; and

- (12) Procedures and criteria for evaluating analytical results to establish the presence or absence of any plume of contamination.

3. Potential Receptors

If (1) a release to air or groundwater is detected, or (2) the Permittee desires to establish site-specific soil cleanup objectives, then the subsequent RFI Phase Report must provide data describing the human populations and environmental systems within a radius of 1,500 feet of the facility boundary that may be affected by releases from SWMUs must be collected and submitted to the Agency. The following characteristics shall be identified.

- a. Local uses and possible future uses of groundwater:
 - (1) type of use (e.g. municipal or residential drinking water source, industrial, etc.); and
 - (2) location of groundwater users, including wells and discharge areas.
- b. Local uses and possible future uses of surface waters draining from the facility:
 - (1) Domestic and municipal;
 - (2) Recreational;
 - (3) Agricultural;
 - (4) Industrial; and
 - (5) Environmental.
- c. Human use of, or access to, the facility and adjacent lands, including, but not limited to:
 - (1) Recreation;
 - (2) Agriculture;
 - (3) Residential;
 - (4) Commercial;
 - (5) Zoning; and

- (6) Location between population locations and prevailing wind direction.
 - d. A description of the biota in surface water bodies on, adjacent to, or affected by the facility.
 - e. A description of ecology of, and adjacent to the facility.
 - f. A demographic profile of the people who use or have access to the facility and adjacent land, including, but not limited to: age, sex, and sensitive subgroups.
 - g. A description of any endangered or threatened species near the facility.
4. Phase III - Hydrogeologic and Hydrologic Investigation

The potential for releases to groundwater from a given SWMU must be investigated as part of Phase III of the RFI if the Agency's DLPC determines from the data obtained during the RFI Phase II investigation that releases to soil from a given SWMU may have migrated to the groundwater below the site, or the data is inconclusive. The RFI Phase III hydrogeologic and geologic investigation plan must provide descriptions of groundwater monitoring systems which will provide adequate data on the detection, nature, extent and rate, and concentration of any releases to groundwater or surface water.

Groundwater monitoring will not be required for a SWMU during the RFI Phase III investigation, if the Permittee can demonstrate, based upon the data obtained from the soils investigation under the RFI Phase I environmental media investigation that no releases have occurred from the SWMU(s), or, based upon the data obtained from the rate and extent evaluation under the RFI Phase II investigation that contaminants from the subject SWMU(s) have not entered the groundwater. The Agency reserves the right to require a groundwater monitoring program for SWMUs based upon interim or final corrective measures chosen, provided that the corrective measures call for on-site final disposition of contamination or long term remedial activities.

If releases of hazardous waste or hazardous constituents have entered the groundwater at a particular SWMU, the RFI Phase III Workplan shall address a hydrological investigation and groundwater monitoring for a SWMU or group of SWMUs at the time the Agency notifies the Permittee that a RFI Phase III Workplan is required. This workplan must include:

- a. Information, as it is available, regarding:
- (1) The regional geologic and hydrogeologic characteristics in the vicinity of the facility, including stratigraphy, hydrogeologic flow and the areas of recharge and discharge;
 - (2) Any topographic or geomorphic features that might influence the groundwater flow system;
 - (3) The hydrogeologic properties of all of the hydrogeologic units found at the site down to the first bedrock aquitard, including: hydraulic conductivity and porosity, texture, uniformity and lithology; and interpretation of hydraulic interconnections between saturated zones; and zones of significant fracturing or channeling in the unconsolidated and consolidated deposits;
 - (4) Using the facility map as a base, isopach and structural contour maps, and at least two (2) geologic cross sections showing the extent (depth, thickness, lateral extent) of all hydrogeologic units within the facility boundary, down to the first bedrock aquitard, identify: all units in the unconsolidated and consolidated deposits; zones of higher permeability or lower permeability that might direct or restrict the flow of contaminants; perched aquifers; and the first saturated zone that may have a potential for migration of contaminants;
 - (5) The water level or fluid pressure monitoring, including: water level contour maps and vertical gradient sections, well or piezometer hydrographs and interpretation of the gradient sections, well or piezometer hydrographs and interpretation of the flow system, interpretation of any changes in hydraulic gradients, and seasonal fluctuation; and
 - (6) Any man-made influences that may affect the hydrogeology of the site, identifying local water supply and production wells and other man-made hydraulic structures within 1500 feet of the facility boundary.
- b. Procedures for obtaining information identified in III.D.4.a above which was not obtained during preparation of the workplan.

- c. Documentation that sampling and analysis of groundwater monitoring wells will be carried out in accordance with the approved Data Collection Quality Assurance Plan as required in III.F. below. The plan shall provide information on the design and installation of all groundwater monitoring wells. The designs shall be in accordance with the latest version of the Technical Enforcement Guidance Document (TEGD), where appropriate, and the latest version of the Agency's DLPC design criteria. At a minimum:
- (1) The groundwater monitoring wells must consist of monitoring wells installed in the uppermost aquifer and in each underlying aquifer (e.g., sand units) which are hydraulically interconnected;
 - (2) At least one background monitoring well in each aquifer shall be installed hydraulically upgradient (i.e., in the direction of increasing static head) from the limit of the SWMUs, except to the extent that SWMUs in close proximity can be investigated with the same background well system. The number, locations, and depths must be sufficient to yield groundwater samples that are: (a) representative of background quality in the uppermost aquifer and units hydraulically interconnected beneath the facility; and (b) not affected by SWMUs at the subject facility; and
 - (3) Monitoring wells in each appropriate aquifer shall be installed hydraulically downgradient (i.e., in the direction of decreasing static head) at the limit of the SWMU or at the limit of each group of proximate SWMUs. Their number, locations and depths must ensure that they allow for detection of releases of hazardous waste or hazardous constituents from the SWMU(s).
- d. A sampling plan which specifies:
- (1) The parameters and constituents to be used to establish the presence or absence of a plume of contamination. These must include, but need not be limited to, specific hazardous constituents of wastes determined to have been placed in or released from the SWMUs (including any possible degradation products);

- (2) The basis for selecting the parameters and constituents in (1) above;
- (3) The methodology for investigating the hydrostratigraphic units at site, and the locations, depths, and concentration specifications for each monitoring well;
- (4) Sampling procedures for each parameter or constituent to be analyzed, including sampling frequency;
- (5) Analytical methods to be used in the analysis of the samples. If any of these methods is not consistent with those specified in Test Methods for Evaluating Solid Waste, Physical/Chemical Methods (U.S. EPA SW-846), a complete description of the methods to be used and the justification for not using the appropriate SW-846 methods shall be provided; and
- (6) Procedures and criteria for evaluating analytical results to establish the presence or absence of any plume of contamination.

If the Agency's DLPC determines from the data obtained during the Phase III investigation that releases of hazardous waste or hazardous constituents have occurred to the groundwater or that the data are inconclusive, the Permittee will be required to submit a Groundwater Monitoring Plan to determine the vertical and horizontal distribution of the contaminants identified and to produce the long-term disposition of the contaminants. This groundwater monitoring program will require proposals for establishing the locations, depths, and construction specifications for additional monitoring wells necessary to delineate the extent of any plume. The methodology of the investigation, the sampling procedures, analytical methods, and procedures for evaluating analytical results to establish the extent of the plume shall be the same as above unless specifically identified in the Phase III workplan. The Groundwater Monitoring Plan must also specify the criteria which will be used to determine the limits of the plume.

E. DATA COLLECTION QUALITY ASSURANCE

The Permittee shall prepare a plan to document all monitoring procedures, sampling, field measurements, and sample analysis performed during the investigation so as to ensure that all

information, data and resulting decisions are technically sound, statistically valid, and properly documented. This shall be submitted with each Phase Workplan.

Quality Assurance. Sampling methods and equipment, as well as laboratory analytical methods, shall follow guidance in U.S. EPA's SW-846, "Test Methods for Evaluating Solid WASTE, Physical/Chemical Methods" (see 40 CFR 260.11) if appropriate. All field sampling methods not included in SW-846 must be approved by the Agency's DLPC before they are used in the RFI. This includes methods such as drilling, borings, etc. When applicable, standard procedures, as defined by U.S. EPA, IEPA or ASTM, should be followed. All soil samples which are to be taken must be handled in accordance with 40 CFR, Part 261, Appendix III and the Agency's soil volatile sampling procedures if volatile sampling is required. The analytical methods which will be used must be specified and must be approved by the Agency before they are implemented.

F. DATA MANAGEMENT PLAN

The Permittee shall develop and initiate a Data Management Plan to document and track investigation data and results. This Plan shall identify and set up data documentation materials and procedures, project file requirements, and project-related progress reporting procedures and documents. The Plan shall also provide the format to be used to present the raw data and conclusions of the investigation(s). This plan shall be submitted with each Phase Workplan.

G. IMPLEMENTATION OF INTERIM MEASURES

At any time during the RFI the Permittee may initiate interim measures for the purpose of preventing continuing releases and/or mitigating the results of releases and/or mitigating the migration of hazardous wastes or hazardous constituents. It shall not be necessary to conduct all phases of the RFI investigation if the Agency's DLPC and the Permittee agree that a problem can be corrected, or a release cleaned up, without additional study and/or without a formal CMS.

The Permittee shall submit information on any past or ongoing interim measures which have been or are to be undertaken to abate threats to human health and the environment to the Agency's DLPC for approval. This information shall include, at a minimum:

1. Objectives of the interim measures: how the measure is mitigating a potential threat to human health and the environment and/or is consistent with and integrated into any long term solution at the facility;

2. Design, construction, and maintenance requirements;
3. Schedules for design and construction; and
4. Schedules for progress reports.

If the Agency's DLPC determines that a release cannot be addressed without additional study and/or a formal CMS then the Agency's DLPC will notify the Permittee that these must be performed. Any proposal made under this provision or any other activity resulting from such proposal, including the invocation of dispute resolution, shall not affect the schedule for implementation of the RFI or of any other portion of the permit.

If the Agency determines that interim measures are necessary to protect human health or the environment, the Permittee will be notified by way of a permit modification.

H. HEALTH AND SAFETY PLAN

Under the provisions of 29 CFR 1910 (54 FR 9,295, March 6, 1989), cleanup operations must meet the applicable requirements of OSHA's Hazardous Waste Operations and Emergency Response standard. These requirements include hazard communication, medical surveillance, health and safety programs, air monitoring, and decontamination and training. General site workers engaged in activities that expose or potentially expose them to hazardous substances must receive a minimum of 40 hours of safety and health training off site plus a minimum of three days of actual field experience under the direct supervision of a trained experienced supervisor. Managers and supervisors at the cleanup site must have at least an additional eight hours of specialized training on managing hazardous waste operations. These requirements must be met during each phase of the RFI.

IV. IMPLEMENTATION OF RFI

The Permittee shall conduct those investigations necessary to characterize the site, and to determine the nature, rate and extent of migration, and concentrations of hazardous waste and hazardous constituents, if any, released from the SWMU's into the surface water and sediments, groundwater, air, and soil. The investigations must be of adequate technical content to support the development and evaluation of a corrective action program, if one is deemed necessary by the Agency's DLPC.

The investigation activities shall follow the plans and procedures set forth in the Workplan(s) and the RFI schedule. Any actual or anticipated deviations from the Workplan(s) or the RFI schedule shall be reported no

later than the time of submission of the next quarterly report required by Section V subsequent to the determination of need or actual deviation from the Workplan.

V. SUBMISSION OF REPORTS AND RESULTS OF RFI ACTIVITIES

The Permittee must prepare and submit quarterly progress reports and a final report on the activities and results of each Phase of the RFI activities as appropriate. The progress reports shall contain at a minimum:

1. An estimate of the percentage of the investigation completed;
2. Summary of activities completed during the reporting period;
3. Summaries of all actual or proposed changes to the Workplan or its implementation;
4. Summaries of all actual or potential problems encountered during the reporting period;
5. Proposal for correcting any problems;
6. Projected work for the next reporting period; and
7. Other information or data as requested in writing by the Agency's DLPC.

The workplans and reports which must be submitted to the Agency for review and approval in accordance with the schedule set forth in the following table:

<u>Facility Action</u>	<u>Due Date</u>
Submission of RFI Phase I Workplan	Within 120 days after effective date of the permit
Completion of RFI Phase I investigation and submission of Phase I Report and Summary	To be specified in the Phase I Workplan
Submission of RFI Phase II Workplan	Within 90 days after notification of the need of Phase II by Agency's DLPC
Completion of RFI Phase II investigation and submission of Phase II Report and Summary	To be specified in the Phase II workplan

Submission of RFI Phase III Workplan

Within 90 days after
notification of the need
for Phase III

Completion of RFI Phase III investigation and
submission of Phase III Report and Summary

To be specified in the
Phase III Workplan

Periodic Progress Reports

To be specified in
workplans

RH:sf/sp/451Y

ATTACHMENT F

APPROVED RCRA PERMIT APPLICATION IDENTIFICATION

ILD093862811

Approved RCRA Permit Application Identification
Safety-Kleen Pekin Service Center
ILD093862811

<u>Section</u>	<u>Approved Section Edition</u>
A. Part A Application	5/13/93
B. Facility Description	4/26/93
C. Waste Characteristics	4/26/93
D. Process Information	4/26/93
E. Groundwater Monitoring	4/26/93
F. Procedures to Prevent Hazards	4/26/93
G. Contingency Plan	4/26/93
H. Personnel Training	4/26/93
I. Closure and Post-Closure Requirements	4/26/93
J. Other Federal Laws	4/26/93
K. Part B Certification (Technical Data)	4/26/93
L. Continuing Releases at Permitted Facilities	4/26/93
M. Research Development and Demonstration Permits	4/26/93

<u>Attachments</u>		<u>Agency Reception Date of Approved Version</u>
Figure B-1	Handling Process for Spent Parts Washer Solvent	4/26/93
Figure B-2	Solvent Use and Regeneration Loop	4/26/93
Figure B-2a	Unit Process for Handling Bulk Antifreeze Waste	4/26/93
Figure B-3	Unit Process for Handling Waste Containers	4/26/93
Figure B-4	Topographic Map	4/26/93
Figure B-5	Existing Site Plan	4/26/93
Figure B-5a	Topographic Site Plan	4/26/93
Figure B-6	1967 Zoning Map	4/26/93
Figure B-7	Pekin Municipal Well Locations	4/26/93
Figure B-8	Wind Rose - Peoria, Illinois	4/26/93
Figure B-9	Geological Structural Features of Tazewell County	4/26/93
Figure B-10	Floodplain Map	4/26/93
Figure B-11	Traffic Pattern for Antifreeze Tank	4/26/93
Figure B-12	Traffic Pattern for 4-Pack Tank Farm	4/26/93
Figure B-13	Traffic Pattern for Metal Shelters	4/26/93
Figure B-14	Traffic Pattern for Container Warehouse	4/26/93
Figure B-14a	Traffic Pattern for Return/Fill Shelter	4/26/93
Figure B-14b	Traffic Pattern for Transfer Trailer	4/26/93
Figure B-15	Topographic Details Within 1000 Feet	4/26/93
Exhibit B-1	FRS Wastes	4/26/93
Exhibit B-2	Blank Operating Log	4/26/93
Exhibit B-3	Completed Operating Log	4/26/93
Exhibit B-4	Well Logs for Surrounding Wells	4/26/93
Exhibit B-5	Permit to Use V.F.W. Road	4/26/93
Table B-1	Summary of Municipal Wells in Pekin, Illinois	4/26/93
Exhibit C-1	Analyses MSDS, and Product Specifications for Spent Parts, Washer Solvent Waste, and Analyses of Parts Washer Solvent Dumpster Sediment	4/26/93
Exhibit C-2	Analyses and MSDS for Spent Immersion Cleaner	4/26/93
Exhibit C-3	Analyses, MSDS, and Product Specifications for Dry Cleaner Wastes	4/26/93
Exhibit C-4	Analyses and MSDS for Paint Wastes	4/26/93
Exhibit C-5	LDR Notification Form	4/26/93
Exhibit C-6	Analyses and MSDS for Spent Antifreeze	4/26/93
Exhibit C-6a	Waste Antifreeze TCLP Data	4/26/93
Exhibit C-7	Quality Control Procedures	4/26/93
Exhibit C-8	Waste Acceptance Criteria	4/26/93

<u>Attachments</u>		<u>Agency Reception Date of Approved Version</u>
Table C-1	Parameters and Rationale for Hazardous Waste Analyses	4/26/93
Table C-2	Parameters and Test Methods	4/26/93
Table C-3	Methods Used to Sample Hazardous Wastes	4/26/93
Table C-4	Frequency of Analysis	4/26/93
Table C-5	Examples of Potentially Incompatible Wastes	4/26/93
Figure D-1	Example of Typical Coms Pump	4/26/93
Figure D-2	Typical Container Label	4/26/93
Figure D-3	Drum Washer Schematic and Details	4/26/93
Figure D-4	Example Warehouse Pallet Layout	4/26/93
Figure D-5	Example Flammable Storage Shelter Pallet and Drum Layout	4/26/93
Figure D-6	Warehouse Plan and Details	4/26/93
Figure D-7	Flammable Storage Shelter	4/26/93
Figure D-8	4-Pack Tank Farm and Return/Fill Piping Plan	4/26/93
Figure D-9	Used Parts Washer Solvent 20,000 Gallon Vertical Storage Tank	4/26/93
Figure D-10	Environmental Piping Schematic for Used Parts Washer Solvent	4/26/93
Figure D-11	Used Antifreeze 10,000 Gallon Horizontal Storage Tank	4/26/93
Figure D-12	Environmental Piping Schematic for Used Antifreeze	4/26/93
Figure D-13	Horizontal Tank Piping Plan	4/26/93
Figure D-14	Used Antifreeze Horizontal Tank Concrete Plan & Details	4/26/93
Figure D-15	Used Parts Washer Solvent Dumpster	4/26/93
Figure D-16	Return/Fill Shelter	4/26/93
Figure D-17	Tank Farm Tank Access Container	4/26/93
Figure D-18	Used Antifreeze Tank Access Container	4/26/93
Figure D-19	4-Pack Tank Farm Plan & Details	4/26/93
Figure D-20	Moorman Bros. Tank Gauge Details	4/26/93
Figure D-21	Used Parts Washer Solvent High Level Alarm System Diagram	4/26/93
Figure D-22	Horizontal Tank Level Gauge	4/26/93
Figure D-23	Used Antifreeze High Level Alarm System Diagram	4/26/93
Exhibit D-1	Specifications for Rust Inhibiting Drum Coating	4/26/93
Exhibit D-2	Polyethylene Drum Fluorination	4/26/93
Exhibit D-3	Example Epoxy Coating Technical Data	4/26/93
Exhibit D-4	Example of Typical Wet/Dry Vacuum Cleaner Specifications	4/26/93
Exhibit D-5	Engineering Assessment of Tank Farm	4/26/93
Exhibit D-5a	Tank Construction Materials	4/26/93

<u>Attachments</u>	<u>Agency Reception Date of Approved Version</u>
Exhibit D-6 Engineering Assessment of Parts Washer Solvent Dumpster	4/26/93
Exhibit D-7 Engineering Assessment of the Container Storage Areas	4/26/93
Exhibit D-7a Container Storage Area Assessment, September 1992	4/26/93
Exhibit D-8 Design Engineering Assessment of Used Antifreeze Tank System	4/26/93
Exhibit D-8a Installation Assessment of Used Antifreeze Tank System	4/26/93
Exhibit D-9 Secondary Containment Photographs	4/26/93
Exhibit D-10 Waste Streams and Containers Specifications	4/26/93
Exhibit D-11 Safety-Kleen Corporation Specifications for Storage Containers	4/26/93
Exhibit D-12 Typical Epoxy Sealant Specifications	4/26/93
Exhibit D-13 Secondary Containment Calculations	4/26/93
Exhibit D-14 Typical Drum Pallet Configurations	4/26/93
Exhibit D-15 Container Storage Area Secondary Containment Photos, February 1993	4/26/93
Figure F-1 Emergency Equipment Plan	4/26/93
Figure F-2 Tank and Container Setback Plan	4/26/93
Exhibit F-1 Inspection Log for Drum Storage Areas - Example	4/26/93
Exhibit F-2 Inspection Log for Storage Tank System - Example	4/26/93
Exhibit F-3 Inspection Log for Safety and Emergency Equipment	4/26/93
Exhibit F-4 Inspection Lists and Diagrams for Pumps, Valves and Flanges	4/26/93
Exhibit F-5 Determination of Water Supply	4/26/93
Exhibit F-6 Fire Protection Adequacy, November 1992	4/26/93
Table F-1 Emergency Equipment List	4/26/93
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Attachment G-1 Most Recent Coordination Letters	4/26/93
Figure G-1 Existing Site Plan	4/26/93
Figure G-2 Emergency Equipment Plan	4/26/93
Figure G-3 Safety-Kleen Corporation Field Spill Report Form	4/26/93
Figure G-4 Emergency Evacuation Routes	4/26/93

<u>Attachments</u>		<u>Agency Reception Date of Approved Version</u>
Exhibit G-1	Pekin Service Center Emergency Information	4/26/93
Exhibit G-2	Material Safety Data Sheets	4/26/93
Exhibit G-3	Remedial Contractor Qualifications	4/26/93
Exhibit G-4	Exposure Modeling Scenarios	4/26/93
Exhibit G-5	Archie Model Input Parameters (Downwind Air Dispersion Modeling)	4/26/93
Table G-1	Employee Functions During an Emergency	4/26/93
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Table G-3	Hazardous Waste Physical Characteristics	4/26/93
Table G-4	Emergency Response Criteria - Indoor Release	4/26/93
Table G-5	Emergency Response Criteria - Indoor Fire	4/26/93
Exhibit H-1	Employee Titles and Job Descriptions	4/26/93
Exhibit H-2	Trainer Resumes	4/26/93
Exhibit H-3	Example Training Record	4/26/93
Exhibit H-4	Level of Training for Hazardous Waste Personnel	4/26/93
Exhibit H-5	Contingency Plan Training for Alternate Emergency Coordinators	4/26/93
Exhibit H-6a	Standard Operating Procedures for Coliwasa Sampling for Waste Drums	4/26/93
Exhibit H-6b	Standard Operating Procedures for the Determination of Specific Gravity	4/26/93
Table H-1	Branch Manager Training Outline	4/26/93
Table H-2	Introductory and Annual Training Topics for Facility Employees	4/26/93
Table H-2a	New Employee Orientation/Training Outline	4/26/93
Table H-3	Example Periodic Training Topics	4/26/93
Table H-4	Example Emergency Response Training Topics	4/26/93
Exhibit I-1	Soil Sampling Plan Outline	4/26/93
Exhibit I-2	Closure Schedule	4/26/93
Exhibit I-3	Notice in Deed of Hazardous Waste Activity on Property	4/26/93
Exhibit I-4	Pekin, Illinois Facility Closure Cost Estimate	4/26/93
Exhibit I-5	Financial Assurance Mechanism for Closure	4/26/93
Exhibit I-6	Hazardous Waste Facility Certificate of Liability Insurance	4/26/93
Exhibit J-1	Illinois Environmental Protection Agency Permit to Operate Emission Source	4/26/93

<u>Attachments</u>		<u>Agency Reception Date of Approved Version</u>
Exhibit K-1	Certification Statement - Pekin, Illinois Service Center	4/26/93
Exhibit K-2	Prior Conduct Certification Statement - Pekin, Illinois Service Center	4/26/93
Figure L-1	FRS Transfer Shelter	4/26/93
Exhibit L-1	Release History	4/26/93
Exhibit L-2	Example Used Oil Certification	4/26/93
Exhibit L-3	Example Prequalification Evaluation Customer Survey	4/26/93
Exhibit L-4	FRS Transfer Shelter Specifications	4/26/93

RH:sf/sp/451Y,91-97

ATTACHMENT G

FINANCIAL ASSURANCE REQUIREMENTS

ILD093862811

	<u>Amount of Waste Allowed</u>	<u>Financial Assurance Required For Unit</u>
Existing Tankage	28,500 gallons	\$57,042
Existing Container Storage Volume	<u>6,912 gallons</u>	<u>\$46,490</u>
	35,412 gallons	\$103,532

RH:sf/sp/451Y,98-99

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**OFFICE OF RCRA
WASTE MANAGEMENT DIV.
EPA, REGION**

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AUG 06 1993

**GOVT. & COMMUNITY AFFAIRS
ILLINOIS EPA**

August 5, 1993

Mr. Brad Frost
Permit Section
Division of Land Pollution Control
Illinois Environmental Protection Agency
P.O. Box 19276
2200 Churchill Road
Springfield, Illinois 62794-9276

**Re: Safety-Kleen Corp. Comments on
Draft Part B Permit
1790600011 - Tazewell County
ILD 093862811
RCRA Permit Log No. 96**

Dear Mr. Frost:

The following constitute the comments of Safety-Kleen Corp. on the draft Part B permit issued to them for the Pekin Service Center on June 22, 1993 and received on June 25, 1993. These comments are submitted as part of the public comment period which ends on August 7, 1993 and therefore must be considered properly and timely filed.

Fact Sheet Comments

Safety-Kleen recognizes that the Fact Sheet is not an official compliance section of the Part B permit. However, in the interests of accuracy, the company offers the following comments with respect to that portion of the draft Part B.

- (1) *Description of Facility - A. General (page 1)* - On the sixth line, a listing of various types of wastes is included. After the phrase "waste oil" the following parenthetical should be added "(which is not regulated as a hazardous waste)". In that same sentence, in line

eight, the term non-hazardous should be added and the phrase "and are not subject to the compliance requirements of this permit" should be added at the end of the existing parenthetical.

In addition, the description of transfer wastes should not be limited to fluid recovery service wastes. The fluid recovery service wastes are one group of wastes managed on a transfer basis; there may be wastes outside of that program which are also managed in that fashion. The sentence would then read:

Wastes accepted include parts cleaner wastes, dry cleaning wastes, paint wastes, spent antifreeze, waste oil (which is not regulated as a hazardous waste), and wastes (hazardous and non-hazardous) including, but not limited to fluid recovery service wastes, that remain on site for less than ten days and therefore are not subject to the compliance requirements of this permit).

This additional language makes it clear that waste oil is not regulated on par with the other materials identified in the sentence. The second additional phrase similarly clarifies that transfer wastes are not subject to the regulatory requirements which apply to hazardous wastes which are stored.

In the same paragraph, line 5, the language specifies that wastes are sent to Safety-Kleen's recycle centers. These statements should be expanded to note that wastes may also be sent to other properly permitted treatment, storage or disposal facilities.

- (2) *Hazardous Waste Management Activities - A. Containers (page 2)* - In the second line of this paragraph, there is a reference to Exhibit B-5. That reference identification should be Appendix B-5 to be consistent with the draft permit structure. Likewise in the thirteenth line, the reference to Exhibit C should be changed to Appendix C.

On the fourth line, fourth sentence, the term non-ignitable should be changed to read "non-flammable". The warehouse container storage area will be NFPA rated for Class II ignitables so that storage of materials with flashpoints between 100°F (flammable) and 140°F (ignitable) would be allowable under that Code.

In the eighth line of that same paragraph, the term "dumpster mud" should be added to the listing of wastes which may be stored in the warehouse container storage area. In addition, the word "are" at the beginning of the ninth line, should be changed to "may be" since the storage of these materials is permissible rather than occurring at any given time.

Also in the eighth line, the parenthetical dealing with dry cleaning wastes should be revised. That parenthetical description should say "solvent, still bottoms and filter cartridges".

In the eleventh line, dry cleaning wastes are identified as being permitted for storage within the flammable waste storage area. Safety-Kleen believes it would be more accurate to identify these materials as mineral spirits dry cleaning wastes, since it is that type of dry cleaning waste which will be placed in the shelters.

- (3) *Hazardous Waste Management Activities - B. Tank Systems (page 2)* - In this paragraph, it is stated that a maximum of 19,000 gallons of spent mineral spirits and 9,500 gallons of spent antifreeze may be stored in these tanks. In fact, Safety-Kleen is permitted to store up to 20,000 gallons in the mineral spirits tank and 10,000 in the antifreeze tank; the 19,000 and 9,500 gallon levels are the respective points at which the high-level alarms will sound on each tank. Safety-Kleen agrees that it will not store volumes in excess of these high-level alarm levels, but felt this point should be clarified. On line 9, the word "implement" should be changed to "meet" since Safety-Kleen is not implementing the regulations, it is complying with such requirements.

Permit Comments

- (4) *Description of Facility (page 9)* - The same changes noted in Comment 1 above should be made in the introductory paragraph on this page. Waste oil should be identified as a non-hazardous material; fluid recovery service wastes should be described as hazardous and non-hazardous, and not subject to compliance requirements since they are managed on a transfer basis.

- (5) *Description of Facility, Subparagraph 1 (page 9)* - On line two of this paragraph, the word "Ignitable" should be changed to "Flammable" since the areas referenced are NFPA rated for flammables, not just ignitables. The last sentence of this paragraph should be revised to read:

Wastes with flash points greater than 100°F are stored
in the warehouse container storage area.

This modification would again be in accord with the NFPA rating for the container storage area and so more accurately reflect NFPA conditions.

- (6) *Description of Facility, Subparagraph 2 (page 9)* - The last sentence of this paragraph refers to a product mineral spirits tank. Since product tanks are not regulated under any of the waste provisions. Safety-Kleen believes this sentence should be deleted from the permit description. In the alternative, the tank should be described as a product solvent tank to most clearly reflect its contents.
- (7) *Section I: Container Storage, Summary (page 10)* - In the listing of dimensions, it is noted that the Warehouse Storage Area is 100 feet x 160 feet. These measurements are not accurate. In fact, this Storage Area is 15 feet x 28.75 feet. This statement in the permit needs to be corrected to reflect the actual dimensions of the area. In the first line of the identification of units, status, maximum capacity and dimensions, the word "received" should be changed to "stored" since this section of the permit deals with storage of containers, not receipt. In the next line, same sentence, the word "arrive" should be changed to "be" to tract the earlier revision. The word either should be deleted since there are more than two alternative containers identified in the listing. In addition, a 15-gallon drum, a 5-gallon polyethylene container and a split 30-gallon drum used for dry cleaning filters should be added to the listing of possible containers.

In the sixth line of the paragraph, there is a reference to Section 4.8 NFPA 30. That provision relates to outside storage of containers, not inside storage such as that practiced by Safety-Kleen. Therefore, the reference to Section 4.8 must be deleted from the permit.

Safety-Kleen also believes that the numbered sub-items require revision. In the number 1 point, DOT approval of containers is specified. However, DOT does not approve containers. Rather that agency has developed specifications for containers which are appropriate for certain uses. This item should be modified to state that the containers will be consistent with 49 CFR 178 provisions as appropriate.

Item two should also be revised to reflect acceptable packaging practices. The sentence should be changed to read:

The container or its liner is compatible with the waste;
with this modification, the item would be consistent
with both regulatory requirements which contemplate
the use of liners and anticipated Safety-Kleen practices.

- (8) *Section I: Container Storage, B Waste Identification, Subparagraph 2, (page 10)* - Safety-Kleen's comments on this paragraph are analogous to those made under Comment (1) above. The parenthetical description of dry cleaning wastes in the fourth and fifth lines should be changed to say "solvent, still bottoms, and filter cartridges". On the eighth line, dry cleaning wastes should be modified to read "mineral spirits drying cleaning wastes".

In addition to these changes in wastes descriptions, Safety-Kleen believes that the sixth line of the paragraph requires revision. That line includes the sentence: "The Permittee *may only store* paint wastes, mineral spirits . . ." That sentence should be modified to conform to other statements in the permit to say that the Permittee may store. Safety-Kleen may store non-hazardous wastes within the container storage area in accordance with the regulations and therefore the permit should not be written so as to possibly be interpreted to preclude that compliant practice. Safety-Kleen may store such wastes as long as the capacity limit for the area is not exceeded and the wastes are compatible.

Further, in the listing of wastes to be stored, it should be stated that dumpster mud may also be stored in the container storage area. As noted previously, that area is NFPA rated for Class II flammables and therefore a combustible such as dumpster mud may properly be stored there.

- (9) *Waste Identification, Subparagraph 4 (page 11)* - This condition prohibits Safety-Kleen from storing non-hazardous waste in the units identified in B-2 (warehouse container storage area and flammable shelters). As stated above, the regulations would allow Safety-Kleen to store non-hazardous wastes in these units as long as the total volume of waste does not exceed the units permitted capacity and the non-hazardous waste is compatible with the other waste stored. This provision should be eliminated or, in the alternative, at least modified to state that non-hazardous waste which is compatible and does not exceed the capacity may be stored in the B-2 units.
- (10) *Waste Identification, Subparagraph 5 (page 11)* - Through this permit provision, the Agency is attempting to control the placement of transfer wastes at the facility. Such wastes are explicitly excepted from all permitting requirements under 35 IAC 72.11 and therefore the IEPA may not impose permit conditions on them. In particular, these wastes are by regulatory definition not *stored* within the meaning of 35 IAC 724 and therefore are not subject to permit storage requirements. Safety-Kleen would find this provision acceptable if it were modified to read:

Transfer wastes may be managed in the two model 44 Class 1B shelters or trailer truck or other appropriate units at the facility for ten days or less.

This provision would allow Safety-Kleen to operate in accordance with all regulatory requirements and would also avoid the necessity of obtaining a permit modification each time transfer wastes may be moved.

- (11) *Waste Identification, Subparagraph 7 (page 11)* - This provision states that non-hazardous wastes may only be placed in a unit permitted under 35 IAC 807. That statement does not comport with the IEPA's own regulations and the Pollution Control Board's statements during adoption of those regulatory requirements. Therefore, the condition must be eliminated from the permit.

35 IAC 807.105 explicitly provides that solid waste units located at facilities regulated under the hazardous wastes regulations are *not* subject to Section 807 permitting requirements. The only exception

to this blanket exemption is for units used solely for *disposal* of solid wastes at such hazardous waste facilities. The Safety-Kleen Pekin Service Center has no such units.

In adopting 35 IAC 807.105, the Pollution Control Board accepted the comments of its Technical Subcommittee with respect to the possibility of double regulation of certain facilities. In response to a comment by the IEPA, the Board Subcommittee stated that it was the intent of 807.105 provision that the facilities regulated under the hazardous waste regulations *not* also be subject to the 807 permitting requirements unless they were disposal units. The Agency may not simply ignore this response to its own comments and the clear regulatory language in developing permit conditions. Subparagraph 7 must be deleted from the Pekin Part B permit.

- (12) C. *Condition of Containers, Subparagraph 1 (page 11)* - On the fifth line of this paragraph, it is specified that wastes must immediately be transferred from a container that may be leaking. Safety-Kleen has no problem with transferring waste from leaking containers as one alternative for addressing such situations. However, the Company also believes it may be appropriate to overpack such containers; or in some instances, repair slight defects so that leaking is corrected. Safety-Kleen believes that the statement should be rewritten as follows:

Permittee must immediately transfer the waste from this container to a container that is in good condition, repair the container, overpack the container or manage the waste in accordance with the approved permit application.

- (13) C. *Condition of Containers, Subparagraph 3 and 4 (page 11)* - Each of these provisions ends with the statement that 49 CFR 172 must be complied with. The last sentence of Subparagraph 3 states that containers will be marked and placarded in accordance with 49 CFR 172; those regulations do not always require making and placarding. Therefore, Safety-Kleen suggests that the phrase "if required" be added to the end of the Subparagraph. The same addition is suggested for Subparagraph 4.

- (14) *E. Management of Containers, Subparagraphs 2 (page 12)* - The opening sentence of this paragraph states that an aisle space of two feet will be maintained. Under certain circumstances, Safety-Kleen may maintain a wider aisle. Therefore, Safety-Kleen would modify this provision to state "at least two feet" to allow for wider spacing.

On the last line of that paragraph, the permit provides for a six-inch space between pallets and walls. However, not all containers are stored on pallets. Therefore, this sentence should be revised to say ". . . six inches shall be maintained between the pallets or containers (if not palletized) and the walls."

- (15) *E. Management of Containers, Subparagraph 3(b) (page 12)* - This item now specifies that containers must be separated by a pallet or other dunnage as described in the permit application. Therefore, Safety-Kleen would change this requirement as follows:

Containers are separated by a pallet, or other dunnage,
if necessary, to provide stability; and

- (16) *F. Inspection, Subparagraph 1 (page 12)* - Safety-Kleen suggests that this provision be revised along the same lines as noted above in Comment 11. At the end of the first sentence, the options of repairing the drum if permanent repair can be done immediately or transferring the material out of the deteriorated drum should be included in this permit provision.

At the end of that paragraph, the same options for addressing this type of situation should be added to the permit. After the existing end of the sentence, the language "or the material has been placed in a drum of adequate integrity, or the drum has been permanently repaired," should be added.

- (17) *F. Inspection, Subparagraph 2 (page 12)* - This subparagraph deals with the condition of the secondary containment for the storage area. The existing language provides that if there are any cracks in the containment, all of the wastes must be immediately removed. However, it is quite possible that there may be surficial cracks or deterioration of the coating and/or containment which would not adversely impact its integrity. Safety-Kleen would like this provision modified to allow a repair period for such surficial

condition so that removal of waste is only required if the integrity of the containment may be implicated.

- (18) *G. Containment, Subparagraph 1 (page 13)* - The permit is now drafted to state that Safety-Kleen shall perform annual maintenance. However, it is possible that maintenance actions may not be necessary each year. Consequently, Safety-Kleen believes the words "if necessary" should be added after the phrase "annual maintenance" to reflect that fact.
- (19) *H. Special Requirements for Ignitable or Reactive Waste, Subparagraph 2 (page 13)* - This provision prohibits Safety-Kleen from locating containers of ignitable waste within 50-feet of the facility's property line. The word "locate" should be changed to "store" to meet the intent of the regulations which provide that ignitable waste may not be stored too close to facility boundaries.
- (20) *J. General Operating Requirements, Subparagraph 1(d) (page 14)* - This item deals with manifesting for containerized waste received at the Pekin facility. Under the existing draft, the permit recognizes the permitting exception for small quantity generators defined in 35 IAC 721.105(a). However, the provision should also recognize that Safety-Kleen operates under certain multi-stop and tolling agreements approved by IEPA and allowable under the regulations. These arrangements must also be noted in this permit paragraph.
- (21) *J. General Operating Requirements, Subparagraph 2 (page 14)* - The last sentence of this provision should be revised as described under Comment 16 above. Instead of requiring removal of all waste from the area, the provision should be changed to allow expeditious repair if the integrity of the containment is not impacted by the cracks, coating failure or other defect.
- (22) *J. General Operating Requirements, Subparagraph 3, (page 14)* - This provision requires Safety-Kleen to remove any precipitation which accumulates in the containment system within 24 hours of discovery. Safety-Kleen is concerned that it may not be possible to comply with this requirement as to snow and ice. The company suggests that the provision be limited to rain or liquid from precipitation, or pumpable precipitation so it is clear that snow and ice can not be removed within 24 hours in all cases.

- (23) *K. Closure Requirements, Subparagraph 3 (page 15)* - This subparagraph deals with sweepings, washwater and rinsate from the container storage area closure. As written, the provision requires Safety-Kleen to manage these residuals as hazardous wastes. Safety-Kleen would like the option of testing these materials to show they are non-hazardous as part of the closure. Therefore, Safety-Kleen would like this provision revised as follows:

Sweepings collected during closure of the container storage area shall be managed as a hazardous waste or characterized through analysis and managed in accordance with applicable regulations. All washwater and rinsate generated during the closure of these units shall also be managed as a hazardous waste or characterized through analyses and managed in accordance with applicable regulations.

- (24) *K. Closure Requirements, Subparagraph 8 (page 16)* - This provision relates to the OSHA requirements codified in 29 CFR 1910. The IEPA is not the implementing authority as to these regulations and, therefore, this provision is not appropriately included in a hazardous waste facility permit.
- (25) *Section II, Tank Systems, A. Summary (page 18)* - This opening paragraph should be partially reworded to more clearly reflect the conditions at the Pekin Service Center. The opening sentence should be reworded to say:

Each tank at the Pekin Service Center is dedicated to one of a variety of purposes, including product storage, hazardous waste storage, and waste oil storage.

The third sentence would also be changed to state:

Associated with this activity are these two existing above-ground tanks, each of which is dedicated to the storage of a particular waste.

- (26) *B. Waste Identification, Subparagraph 1 (page 18)* - This provision should be modified to more accurately reflect the regulatory requirements. In addition a reference to II.B.(3) should be added to those already included in this subparagraph. The provision would then read:

Storage of regulated hazardous waste in tanks other than those specifically identified in II.B.(1), II.B.(2) and II.B.(3) is prohibited.

- (27) *C. Containment and Detection of Releases, Subparagraph 2(a) (page 19)* - This subparagraph should be revised to more clearly conform to the regulatory requirements of 35 IAC 724.293. The last line should be changed to read "impermeable interior surface coating" or liner that since it is the inside of the containment system which must be protected from direct contact with stored waste material.
- (28) *C. Containment and Detection of Releases, Subparagraph 2(b) (page 19)* - The Agency's regulations do not contain any provision requiring annual inspection and maintenance of containment surface coatings. Therefore, this requirement must be deleted as being beyond regulatory authorities. Safety-Kleen inspects its containment systems on a daily basis as described in the permit application and performs maintenance as it becomes necessary. The Company does not believe that an independent annual inspection requirement is warranted under such circumstances.
- (29) *D. General Operating Requirements, Subparagraph 3 (page 20)* - In the fifth line of this paragraph, the following requirement is stated:

In addition, all hazardous and non-hazardous special wastes received at the facility must be permitted by an IEPA issued special waste permit and be accompanied by a properly completed Illinois manifest . . .

Again, this requirement is not consistent with the requirements of 35 IAC 807.105 and the Illinois Pollution Control Board's interpretation thereof. Safety-Kleen, as a facility regulated under 35 IAC 724, is not required to also have a permit for non-hazardous special wastes received at the facility. This is also true for hazardous and non-hazardous wastes which are managed on a transfer basis. Such

wastes may be identified in the Part B permit but are not subject to hazardous waste requirements imposed via that permit. This statement must therefore be modified to read that all hazardous wastes received for storage at the facility must be permitted by IEPA.

Also, with regard to this permit provision, Safety-Kleen believes that the end of the last sentence should be expanded to acknowledge that certain wastes may be received pursuant to Agency-approved multi-stop or tolling arrangements.

- (30) *D. General Operating Requirements, Subparagraph 4 (page 20)* - Safety-Kleen has a minor point of clarification with respect to this provision. The word "facility" should be changed to "Safety-Kleen" since it is the Company who employs the personnel as opposed to the facility.
- (31) *D. General Operating Requirements, Subparagraph 5 (page 20)* - Subparagraph 5 concerns the removal of precipitation from a tank systems secondary containment. As written, the provision does not allow for the fact that the facility is closed on weekends and holidays so that any collected precipitation may not be observed within a 24-hour period if the event occurred on any of these days. In addition, the provision does not recognize that removal of snow/ice within 24 hours may present practical problems. Safety-Kleen therefore asks that this provision be modified in accordance with 40 CFR 264.193(b)(4) and its State counterpart 35 IAC 724. 293 to read as follows:

Precipitation accumulating within the tank farm shall be removed from the secondary containment within 24 hours, or in as timely a manner as is possible to prevent harm to human health and the environment, if Safety-Kleen can demonstrate that the precipitation could not be removed within 24 hours.

In the alternative precipitation would be revised to be limited to rain or pumpable liquid from precipitation as noted previously.

- (32) *F. Inspections, Subparagraph 3 (page 21)* - This provision is acceptable to Safety-Kleen as written with one minor point of clarification. The Company believes the statement would be more readily understood by those responsible for compliance if it read as follows:

Releases of hazardous waste from spills and leaks which are observed in the secondary containment system shall be removed within the same operating shift during which they are detected and managed as hazardous waste.

- (33) *F. Inspections, Subparagraph 4 (page 21)* - Both the introductory language and subsection (a) of this provision reference an ultrasonic thickness test. Such testing is not required for existing tank systems with secondary containment such as those of the Pekin Service Center. In particular, annual ultrasonic testing is not provided for in the regulations for tank systems like those at Pekin. The regulations provide for leak testing of such tank systems. Therefore, these references must be removed from the permit.

The tanks used at the Pekin facility are each consistent with UL listings and therefore have specified minimum thicknesses. For example to meet UL 142 listing requirements, the tank wall and containment minimum thickness is 1/4 inch and the head thickness is 5/16 inch. Again thickness testing is not required or necessary given the UL compliant tanks used.

- (34) *F. Inspection, Subparagraph 4(b) (Page 21)* - This provision provides specifically for hydrostatic leak testing. The regulations allow the owner/operator to select the type of leak testing it will implement. [See 35 IAC 724.293(i)(3).] In addition, hydrostatic testing is not identified in the opening paragraph of provision 4. Safety-Kleen requests that the word "hydrostatic" be eliminated from this subparagraph.
- (35) *F. Inspections, Subparagraph 4(e) (page 22)* - This item now assumes that all washwater and other waste from evacuation of a tank will be hazardous. That is not necessarily the case especially since the hazardous wastes stored in the tanks are characteristic wastes, as

opposed to listed wastes. Therefore, Safety-Kleen requests that this provision be revised as follows:

All wastes and washwater generated during evacuation of the tanks shall be managed as a hazardous waste, or characterized through analysis and managed in accordance with applicable regulations.

- (36) *G. Reporting and Recordkeeping, Subparagraph 1 (page 22)* - As drafted, this subparagraph requires reporting to the Agency of any spill or leak in a tank system or secondary containment within 24 hours of occurrence unless the spill or leak is less than one pound in quantity and immediately cleaned up. Safety-Kleen believes it would be more realistic to word this provision to require reporting within 24 hours of detection or discovery. Also, under 35 IAC 724.296(d)(a), the reporting requirement applies to spills or leaks that release to the environment. That element of the regulatory requirement is already recognized in Subparagraph 2 of this Section of the permit. This provision should be modified to include that pre-condition to reporting.

Please also see Comment (42) below with regard to this provision.

- (37) *J. Closure, Subparagraph 2 (page 24)* - The second paragraph within this provision requires all sweepings to be managed as a hazardous waste. Again, as noted in one of the comments above, Safety-Kleen would like this provision revised to be more flexible. The sentence would be reworded to say that:

Sweepings collected during closure of any tank system shall be managed as a hazardous waste or characterized through analysis and managed in accordance with applicable regulations.

- (38) *Section II: Tank Systems (page 26)* - Item F(6)(f) should be clarified with a reference to the five (5) year assessments so that it is clear which integrity assessments are referred to in the permit requirement.

- (39) *Section III: Reporting and Notification Requirements, Section II (page 26)* - Item G(I) should be modified as noted in Comment 33 above. The spill or leak which must be reported is one that constitutes a release to the environment. In Item G.2., a reference to a release as described in G(I) should be added so that the item is clear.
- (40) *Section II: Tank Systems (page 27)* - J(5) relates to financial assurance for closure or post-closure. The entry under the heading of "Due Date" should be modified to read as follows:
- 30 days after modification of permit or 30 days after
close of the fiscal year
- The revision of the entry would comport with the regulatory requirements.
- (41) *Section V: Standard Conditions (page 28)* - Item 19 speaks in terms of notifying the Agency. Safety-Kleen believes that compliance with this term would be facilitated if the section of the Agency to which reports must be made were specified.
- (42) *Section V: Standard Conditions (page 29)* - Under item 41, in the fourth and fifth paragraphs, there are references to reporting releases to the Agency or IEMA. Safety-Kleen currently notifies IEMA in the event of such a release. If that practice is acceptable to IEPA, the company feels the permit language should be modified to specify IEMA so that compliance responsibilities are clear.
- (43) *Section V: Standard Conditions, Item 40 (page 28)* - This item contains a requirement that Safety-Kleen update arrangements annually. That is not specified in the regulations. Safety-Kleen believes this should be limited to updating arrangements as necessary due to significant changes at facility or in local agencies.
- (44) *Section V: Standard Conditions, Item 54(a) (page 29)* - This provision requires Safety-Kleen to adjust the closure cost estimate for inflation 30 days after an anniversary date. Safety-Kleen would like that revised to require necessary updates at the end of the fiscal year which is the timing now used.

- (45) *Section V: Standard Conditions (page 29)* - In the last paragraph under item 41, the entry under "Due Date" specifies 15 days for a report to the Agency. Safety-Kleen hereby requests that the time period be extended to 30 days. That extension matches the 35 IAC 724-293(d)(3) requirement for reporting.
- (46) *Attachment D: Additional Special Conditions (page 30)* - Item D(1) provides Safety-Kleen only ten (10) days from the effective date of the permit to submit a certification that the 10,000 gallon horizontal tank has been painted. That ten-day period is not consistent with the earlier permit provision "C. Containment and Detection of Releases, Subparagraph 2(d)" which allows thirty (30) days from the effective date of the permit for painting. Following that thirty-day period, Safety-Kleen would then need additional time for the engineer to prepare the certification requested by the permit. At page 67 of the draft permit, Section IV.A. specifies that this certification will be submitted within 60 days of the effective date of the permit. Therefore, Safety-Kleen believes the time period should be set at sixty (60) days.
- (47) *Attachment D: Additional Special Conditions (page 30)* - Under item E(2), there is a requirement to notify Emergency Response Teams when the Contingency Plan is implemented. Safety-Kleen believes that this entry should be revised to state relevant or appropriate Emergency Response Teams so that it is clear that not all Teams may be needed each time the Contingency Plan is used.
- (48) *Monitoring and Records (35 IAC 702.105), Subparagraph (a) (page 45)* - The second sentence of this paragraph requires Safety-Kleen to use Appendix A of 35 IAC 721 sampling methods. Safety-Kleen believes that this statement should be modified to be consistent with the final sentences in that same paragraph so that it is clear that other Agency-approved or Waste Analysis Plan methods are acceptable.
- (49) *Twenty-Four Hour Reporting, Subparagraph (a) (page 47)* - In this provision, the draft permit again includes a requirement to notify the Agency. Safety-Kleen requests that the draft permit be clarified throughout to make it clear whether the Agency or IEMA or both are to be notified. As noted above, it is Safety-Kleen's general practice

to notify IEMA who then notifies IEPA. Safety-Kleen would like to continue in that fashion if the final permit allows.

- (50) *Twenty-Four Hour Reporting, Subparagraph (c) (page 47)* - Under this subsection, Safety-Kleen is provided only five (5) days in which to make a written submission about releases or other emergency-type circumstances. Generally IEMA allows thirty (30) days for such reporting. On page 51, under paragraph 41, a fifteen-day period is allowed for reporting. Both of these provisions should be consistent with each other and regulatory reporting requirements.
- (51) *Contingency Plan - Implementation of Plan, Paragraph 41 (page 51)* - As noted previously, Safety-Kleen has traditionally made spill or leak reports to IEMA (formerly IESDA). Safety-Kleen would like to continue in that practice. However, in any event, Safety-Kleen would like the permit to clearly state whether both agencies are to be notified and reported to, or whether only one set of submissions is required.
- (52) *Emergency Coordinator (page 51)* - In the current draft permit, the statement is made that the emergency coordinator shall be available at all times. The regulations stipulate that this coordinator shall be on the facility premises or on call at all times. 35 IAC 724.155. Safety-Kleen requests that the language of this permit provision be modified to be consistent with that of the cited regulation.
- (53) *Table III: Tank Form Inspection Schedule (page 61)* - Under the heading of "Inspection Frequency", this Table includes the entry of "Daily". Safety-Kleen would like this entry revised in all instances in which it appears that it reads: "Each operating day."

The Company would like it made clear that it is only on these days that the facility is open for business that these inspections will be conducted.

- (54) *Inspection Element/Type of Problem (page 62)* - Under the Item of Storage Tank, a requirement to test tank integrity on an annual basis is included. Once secondary containment is in place, as is the case at Pekin, this annual retesting is not required. Therefore this requirement must be deleted from the regulations.

- (55) *Inspection Element/Type of Problem (page 62)* - Under the entry for "All Ancillary Equipment" there is again a requirement to perform a leak test on an annual basis. With secondary containment that is not required. Safety-Kleen assesses its tank system ancillary equipment as part of its routine periodic tank assessments. This requirement should be clarified to so state, or deleted from the permit.
- (56) *Inspection Element/Type of Problem (page 62)* - There is an item included as the Tank Truck loading/unloading area. Safety-Kleen believes that the requirements listed relate to the return and fill station as opposed to the truck station. The company requests that this be clarified.
- (57) *Container Storage Area Inspection Schedule (page 63)* - For each of the entries of "Daily" in this Table, Safety-Kleen again requests that the language be "Each operating day," so that it is clear that the inspections are performed on the days the facility is open. Further, the regulations only require weekly inspections of container storage areas, so that while Safety-Kleen conducts daily inspections or business days, it is not regulatorily required and should not be included in the permit.
- (58) *Additional Special Conditions, Paragraph I. A Receipt Analysis (page 67)* - This paragraph reflects an IEPA suspicion that the new formula immersion cleaner may be ignitable waste; a suspicion which Safety-Kleen believes it has refuted through analysis. However, in an effort to proceed with permitting revisions, Safety-Kleen has agreed to store the new formula immersion cleaner in an area NFPA rated for the management of Class II liquids. Therefore, this provision should be modified to state at the end that the immersion cleaner shall be stored in a location within the container storage warehouse that meets NFPA Class II material storage requirements.
- Further reference to the immersion cleaner as ignitable should be deleted from the paragraph since, as the Agency is aware, in well over 90% of cases the immersion cleaner is in fact not ignitable.
- (59) *Reporting Requirements, Paragraph A (page 67)* - This provision mandates that Safety-Kleen keep records of each time the Contingency Plan is implemented in an incident log which is not part of the operating record. Safety-Kleen is uncertain why these

records must be maintained apart from the operating records, rather than as a distinct section within those materials. Safety-Kleen requests that this provision be revised to allow the Company to maintain the records as a separate section within the operating records for the facility.

- (60) *General Operating Requirements, Paragraph A (page 67)* - Under existing paragraph A, Safety-Kleen is required to submit a certification showing that the inside of the 10,000 gallon tank has been painted, that certification is due 60 days from the effective date of the permit. However, as written, the permit does not include a date by which the Agency will have approved or be deemed to have approved that certification so that Safety-Kleen can begin using the tank.

Safety-Kleen would like this provision supplemented with the statement that within 30 days after submission of the certification the tank may be used unless the Agency has disapproved the submitted certification.

- (61) *General Operating Requirements, Paragraphs B and C (page 68)* - Each of these paragraphs reiterates statements made and commented upon in other portions of the permit. Therefore, each of these statements may be detected as repetitious of other permit statements.

As to paragraph C, the statement made is simply not accurate under the IEPA's regulations. A facility regulated under 35 IAC 724 is not also regulated under 35 IAC 807 unless it has a non-hazardous waste disposal unit. The Pekin Service Center has no such unit. Therefore, the reference to 807.201 is incorrect. The provision should be deleted from the permit since it is not consistent with the Agency's own regulations.

- (62) *Contingency Plan, Subparagraph A (page 68)* - As drafted, the provision would expand the spill response requirements beyond the regulatory preview. The third sentence of the paragraph should be modified to read:

A spill requiring implementation of the Contingency Plan is any release of material outside the permitted unit, into or outside of the containment system that

releases to the environment and that cannot be immediately cleaned up.

- (63) *Contingency Plan, Subparagraph B (page 68)* - Under this paragraph Safety-Kleen would have to file reports with local agencies each time a spill of one pound or more occurred, even for spills inside containment. It is Safety-Kleen's experience that the local emergency response groups are not interested in these minor incidents. Safety-Kleen believes this provision would serve the protective goal if it were modified to read as follows:

The Permittee shall contact the local emergency response entities immediately after implementation of the Contingency Plan unless the spill is less than one pound of waste immersion cleaner, or 50 gallons of spent antifreeze or mineral spirits and it is immediately contained and cleaned up; or the spill is not a threat or potential threat to human health or the environment outside the facility boundaries.

- (64) *Contingency Plan, Paragraph C, Subparagraphs 1-7 (page 69)* - This provision imposes informational requirements on Safety-Kleen for in excess of those required under the regulation cited in the introductory paragraph. 35 IAC 724.137 does in the introductory paragraph. 35 IAC 724.137 does not require that the detailed information listed under this provision be provided to response agencies; what IEPA is doing through the permit provision is attempting to expand Title III and Illinois Chemical Safety Act requirements on facilities which are explicitly **not** within the purviews of these statutes. This provision must be streamlined to be consistent with the language and intent of 35 IAC 724.137 which requires Safety-Kleen to familiarize response agencies with the lay out of the facility and its approaches, and the properties of chemicals managed at the facility. These items are covered in the Contingency Plan which will be provided to the agencies as contemplated by the regulations.

These provisions also limit Safety-Kleen to 60 days for its submission Safety-Kleen would like language added providing that an extension may be requested if necessary under the circumstances of a given incident.

- (65) *Contingency Plan, Paragraph C, Subparagraph 7 (page 70)* - As the Agency is aware, Safety-Kleen does not handle reactive (D003) wastes at the Pekin Service Center. Therefore, the reference to that waste code and the requirement to submit information concerning such wastes should be deleted.
- (66) *Contingency Plan, Paragraph D (page 70)* - As now written, this provision requires Safety-Kleen to provide documentation of various arrangements with local response agencies within sixty (60) days of the effective date of the permit. In Safety-Kleen's experience a longer time period will be necessary to provide the type of information the IEPA is requiring. Safety-Kleen suggests that the time period for submission be extended to one hundred twenty (120) days to allow the Company and local agencies adequate response time.

Also, with respect to this paragraph, the opening sentence should be changed to recognize that at times local agencies are not prepared to enter into agreement or arrangements with waste facilities through no fault of such entities. The sentence should state that Safety-Kleen will provide documentation to the Agency that shows attempts to have been made to make the agreements or arrangements. This is in accordance with the regulations and earlier statements of Agency position. The last line of the paragraph should also be modified to say that the arrangements and agreements which must be sought or attempted include; and then the listed elements would be stated.

- (67) *Contingency Plan, Paragraph D, Subparagraph (2) (page 70)* - The last sentence in this subparagraph states that agreements shall be made with surrounding agencies to provide support to the primary authority. That requirement must be modified to make it clear that this requirement only exist if there is more than one response authority in the area.
- (68) *Contingency Plan, Paragraph D, Subparagraph (3) (page 70)* - This item attempts to require Safety-Kleen to make arrangements with equipment suppliers. Safety-Kleen would like clarification as to what type of equipment suppliers are meant and what arrangements are sought through this permit requirement.

- (69) *Contingency Plan, Paragraph E (page 71)* - The regulations require Safety-Kleen to attempt to make agreements and arrangements with local response authorities and to familiarize these entities with the facility and its Contingency Plan. However, the regulations do not require annual updates or meetings with these organizations. This permit provision extends beyond the regulatory requirements and therefore must be removed.

This same comment applies to the entry on page 28 of the permit which indicates Safety-Kleen will provide an annual update. That entry should also be deleted from the permit.

- (70) *Toxicity Characteristic - Waste Identification (page 9 of 11)* - The chart of wastes, waste numbers and units needs to be revised to reflect the units and codes managed at the Pekin facility:

Description of Hazardous Waste	EPA Hazardous Waste Number	Description of Units
Spent parts washer solvent wastes	D001, D004, D043	20,000-gallon aboveground storage tank, or waste storage shelter
Immersion cleaner	F002, F004, D004 - D043	Drums in container storage area
Paint wastes	F003, F005, D004 - D043	Drums in waste storage shelter
Dry cleaning wastes	D001, F002, D004 - D043	Drums in container storage area or waste storage shelter
Spent antifreeze	D004 - D043	10,000-gallon aboveground storage tank, or in 30- or 55-gallon drums in container storage area

Mr. Brad Frost
Illinois Environmental Protection Agency
08/05/93
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- (71) *RFI, Workplans, Paragraph D, Subparagraph (4) (a) (page 82)* - In the introductory language it states that information will be provided "as it is available". That should be changed to read "if available" or qualifying language should be added that if impacts are identified, Safety-Kleen will determine the vertical extent and if required define the hydrogeology to the first aquitard below the deepest area of impact.

As a final matter, Safety-Kleen would like to revise the listing of FRS wastes now presented in the draft Pekin Part B permit. Safety-Kleen has modified its approach to identifying FRS wastes since submission of the Pekin permit application and that new approach has been accepted by IEPA at other Safety-Kleen facilities. Therefore, Safety-Kleen would like the revised list to be included in the finally issued Part B for Pekin. A copy of the revised list of wastes along with example pre-qualification analyses are attached hereto.

The above are Safety-Kleen's comments on the draft Part B Permit. Safety-Kleen believes that it would be constructive for the Agency and Safety-Kleen to meet to discuss these comments and any questions the Agency may have with respect thereto, as well as the expected draft permits for the other Safety-Kleen Service Centers to facilitate final issuance of mutually acceptable permits. Please call Cindy Tarka or Jennifer Jendras of Safety-Kleen to schedule such a meeting.

Very truly,

Cindy Tarka
Cindy Tarka *by Majel*

CT:sam
enclosure
cc: Ron Harman
smskpk10

AUG 5 '93 11:52

FROM SAFETY KLEEN-CHSD REG

CATAGORIES OF
CHEMICALS AND USED SOLVENTS IN THE FRS PROGRAM. THESE
WASTES ARE MANAGED ON A 10 DAY TRANSFER BASIS THROUGH THE
SERVICE CENTER.

1. ALIPHATIC HYDROCARBONS
2. HALOGENATED CHEMICALS/CHLORINATED
SOLVENTS/CHLOROFLUROCARBONS
3. AROMATIC HYDROCARBONS
4. ALCOHOLS/GLYCOLS/PHENOLS
5. KETONES
6. ETHERS
7. ESTERS
8. NITROGEN CONTAINING COMPOUNDS
9. AMINES
10. WASTE FUEL OIL, LUBRICATING OIL, HYDRAULIC OIL, MACHINE
OIL, AND NON-HAZARDOUS OILS (all types).
11. INKS AND RESINS (all types)
12. WASTES CONTAINING ANY OF THE TOXICITY CHARACTERISTICS
D001, D002, D004-D011, D018, D019, D021-D030, D032-D043.
13. OTHER NON-HAZARDOUS HALOGENATED AND NON-HALOGENATED
SOLVENTS.

NOTE: All wastes are compatible with the containers in
which they are stored. Containers are secured and are never
opened while being transferred through the facility.

BRANCH/TERRITORY: 213901
 BUDDY DAUPHANIS

ACCEPT * * REPRINT * *

ACCEPT

POLARIS PACKAGING
 PRESS WASH ETHANOL METHANOL

CONTROL #: 0052086-B
 SURVEY #: 068836

CUSTOMER INFORMATION: 2139-01-9232

POLARIS PACKAGING
 15 MARLEN DRIVE
 ROBBINSVILLE

NJ 08691

ATTN: G. M. MC ELHAREY

BRANCH: 213901 BUDDY DAUPHANIS COUNTY: MERCER
 NATURE OF BUSINESS: MFG OF PACKING MATERIALS
 FEDERAL EPA ID: NJ0083625061 STATE EPA: ID:
 MANIFEST ADDRESS IS BILLING MANIFEST TO

MATERIAL: PRESS WASH ETHANOL METHANOL		PROCESS: WASTE FROM PRESS CLEANUP	
VOLUME: 165 GALS PER QUARTER		VOLUME ON HAND: 85	
STORAGE CAPACITY: 165 IN DRUMS		SHIPPING FREQUENCY: QTRLY	IN DRUMS
COLOR: BLACK	LAYERS: ONE	PHYSICAL STATE: LIQUID	VISCOSITY: LOW

MATERIAL COMPOSITION(VOL%):	CODE	MIN	MAX	TYPICAL
ETHYL ALCOHOL	ETOH	0.0		25.0
METHYL ALCOHOL	MEOH	0.0		25.0
PROPYLENE GLYCOL	PG	0.0		5.0
PROPYL ALCOHOL, ISO-	IPA	0.0		25.0
ETHYL ACETATE	ETAC	0.0		10.0
SETTLED SOLIDS	SETS	0.0		5.0
CELLUSOLVE NITRATE		0.0		10.0

RESTRICTED SUBSTANCES: NONE
 D.O.T. HAZARDOUS MATERIAL: CUSTOMER REQUEST ASSISTANCE
 EPA HAZARDOUS WASTE: CUSTOMER REQUEST ASSISTANCE

P.O. NO:	BRANCH: 213901	DATE: 12/08/89
TYPE OF SAMPLE: COMPOSITE	NUMBER OF DRUMS SAMPLED: 1	TAKEN BY: SALESREP
CONTACT: G. M. MC ELHAREY	TITLE: PRES	PHONE: 609-586-1332

SURVEY COMMENTS: OK EJE & CAP 121989

CORPORATE REVIEWS: DISPOSITION REVIEWER	DATE	POSSIBLE FACILITIES:	PRICING CODE: F1
TECHNICAL: ACCEPT EJE	01/04/90	658 654 635	PART NUMBER: 82101
REGULATORY: ACCEPT CAP	01/04/90	000161	WASTE SPECIFIC FUELS
OPERATING: ACCEPT JWH	01/05/90		

APPROVED FACILITIES:		
SAFETY-KLEEN CORP	SAFETY-KLEEN CORP	SAFETY-KLEEN CORP
STATE HWY 146	633 EAST 138TH ST	1200 SYLVAN ST
NEW CASTLE KY 40050	DOLTON IL 60419	LINDEN NJ 07036
FED EPA#: KY0053348108	ILD980613913	NJ0002182897
STATE EPA#:	0310690006	
TELEPHONE: 502/845-2453	708/849-4850	908/862-2000
STATE CODE:	000161	

APPROVD 0001142 DRUM OR BULK
 DOT-EPA RQ WASTE COMPOUND, CLEANING, LIQUID
 DESC. FLAMMABLE LIQUID NA1993
 (0001)(ERG#27)
 COMMENTS: OK FOR FUEL. FRS CAT I.

EPA WASTE CODES
 0001

THIS SERVES AS NOTICE PER, 40CFR264.12(B), THAT THE FACILITY(IES) NOTED ABOVE
 HAS THE APPROPRIATE PERMITS AND IS WILLING TO RECEIVE THE MATERIAL DESCRIBED.

BRANCH/SUBMITTER: 213901
 BUDDY DAUPHANIS

COMPLETED: 01/05/90
 REVISED: 01/05/90

ACCEPT

• • REPRINT • •

ACCEPT

POLARIS PACKAGING
 PRESS WASH ETHANOL METHANOL

CONTROL #: 0052038-6
 SURVEY #: 085636

GENERAL ANALYSIS OF TOTAL SAMPLE

COLOR : BLACK/GREY
 WATER CONTENT : 6.2 WTX
 NON-VOLATILE RESIDUE : 10.8 WTX DESCRIPTION: SLUDGE
 FLAMMABILITY : FLASHED AT 140 F BY SETAFLASH
 FLAMMABILITY : FLASHED AT 100 F BY SETAFLASH
 PH : EXTRACT BY PAPER 7.0
 RADIOACTIVITY : NONE DETECTED

FUEL EVALUATION OF TOTAL SAMPLE

HEAT CONTENT: 11000 BTU/LB
 TOTAL BROMINE BR: < 0.1 WTX
 TOTAL FLUORINE F: < 0.1 WTX
 ASH UPON COMBUSTION: 0.5 WTX
 TOTAL CHLORINE CL: < 0.1 WTX
 TOTAL SULFUR S: < 0.1 WTX

GENERAL COMPOSITION:

	SPECIFIC GRAVITY	VISCOSITY (CENTIPOISE)	GENERAL COMPOSITION BY: APPEARANCE (VOL%)	TOTAL (WT %)
AQUEOUS PHASE (FREE WATER)			0.0	0.0
ORGANIC PHASE (FEEDSTOCK)			97.0	97.0
BOTTOM SLUDGE (SEMISOLIDS)			0.0	0.0
BOTTOM SOLID (SETTLED SOLIDS)			3.0	3.0
TOTAL	.900	< 50 CPS	100.0	100.0

SPECIFIC COMPOSITION OF TOTAL SAMPLE

	COMPOSITION OF:	TOTAL SAMPLE (WT%)	TOTAL SAMPLE (WT%)
WATER CONTENT		6.2	6.2
NON-VOLATILE RESIDUE	DESCRIPTION: SLUDGE	10.8	10.8
VOLATILE ORGANICS BY DIFFERENCE		83.0	83.0
TOTAL		100.0	100.0

VOLATILE ORGANIC COMPOSITION OF TOTAL SAMPLE BY GAS CHROMATOGRAPHY

SAMPLE PREPARATION METHODS: CS2-EXTRACT
 DETECTION METHODS : FID, FID

COMPOUND NAME	CODE	CAS NUMBER	COMPOSITION OF: VOLATILE ORGANICS (WT%)	VOLATILE ORGANICS (WT%)	TOTAL SAMPLE (WT%)
ETHYL ALCOHOL	ETOH	64-17-5	39.0	39.0	32.4
PROPYL ACETATE, N-	NPAC	109-60-4	28.0	28.0	23.2
DIETHYLENE GLYCOL METHYL ETHER	DGME	111-77-3	26.4	26.4	21.9
HIGH-BOILING ALIPHATIC HYDROCARBONS (C14-C20)	HHC	0-34-0	2.2	2.2	1.8
TOTAL OTHERS (<1.0% EACH)	TO	0-05-5	1.8	1.8	1.5
ETHYL ACETATE	ETAC	141-78-6	1.3	1.3	1.1
METHYL ALCOHOL	MEOH	67-56-1	1.3	1.3	1.1
TOTAL			100.0	100.0	83.0

SUMMARY OF VOLATILE ORGANIC COMPOSITION BY COMPOUND CHEMICAL CLASS WTX:

ALCOHOLS	40.3	ALIPHATIC HYDROCARBONS	2.2
AROMATIC HYDROCARBONS		CHLORINATED SOLVENTS	
ESTERS	29.3	ETHERS	
GLYCOL ETHERS	26.4	INHIBITORS	
KETONES		NITROGEN COMPOUNDS	

SPECIFIC ORGANIC COMPOSITION

POLYCHLORINATED BIPHENYLS (PCBS): NONE DETECTED <

LABORATORY REVIEW: A
 LEVEL: S2G CODE: RELEASED: 01/04/90
 LAB REVIEWERS: TMG TMG ANALYZED: 01/03/90

TRACKING INFORMATION: DATE FACILITY
 SURVEY RECEIVED : 12/19/89 SK TECHNICAL CEN
 SAMPLE RECEIVED : 12/05/89
 RESAMPLE SHIPPED :
 RESAMPLE RECEIVED:

THE ANALYSES CONTAINED HEREIN ARE PERFORMED SOLELY FOR THE PURPOSE OF QUALIFYING THE ANALYZED MATERIALS FOR ACCEPTANCE BY SAFETY-KLEEN IN ACCORDANCE WITH ITS PERMITS AND PROCESSING CAPABILITY.

NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE IS REQUIRED UNDER 40 CFR PART 268.

EPA WASTE CODES FOR LDR: 0001

ANALYSIS DOES NOT INDICATE THAT MATERIAL IS CALIFORNIA LIST HALOGENATED ORGANIC COMPOUND WASTE.

END OF DOCUMENT

AUG 5 '93 11:53
PROJECT: PREQUALIFICATION
BRANCH/TERRITORY: 015300
ENVIROSYSTEMS

FROM SAFETY KLEEN-CHGO REG
GENERATOR SURVEY

PAGE: 006
PAGE 1
COMPLETED: 05/28/92
REVISED: 02/10/93

ACCEPT * * REPRINT * *

ACCEPT

ENVIROSYSTEMS FUELS
CRYOVAC DIV OF W R GRACE
STE OIL

CONTROL #: 0000138630-3
LAB #: 0000041515-3
SURVEY #: 0000273550

CUSTOMER INFORMATION: 0000-80-3658

FEDERAL EPA ID: TX0073152126
STATE EPA ID:

CRYOVAC DIV OF WR GRACE
1301 W MAGNOLIA
IOWA PARK TX 76367

ATTN: JEFF SEXTON

SALESPERSON: DENNIS GLENN

GENERATOR: CRYOVAC DIV OF W R GRACE
NATURE OF BUSINESS: CHEMICAL RESIN MFG
FEDERAL EPA ID: TX0073152126 IL:

S.I.C. NO:
MO: ST: TX IO: 31423 STATUS: LOG

FACILITY ADDRESS:

BILLING:

1301 W MAGNOLIA
IOWA PARK TX 76367

GENERAL DESCRIPTION: WASTE OIL

PROCESS DESCRIPTION: CRANKCASE AND GEAR BOX OIL FROM EQUIPMENT

GENERATION AMOUNT: 2 DRUMS PER MONTH

AMOUNT ON HAND: 4 IN DRUMS

SHIPPING FREQUENCY: 4 WEEKS

COLOR: BLACK

PCT SOLIDS NOT SAMPLED:

PH RANGE:

4-10

LAYERS OR PHASES: ONE

PHYSICAL STATE: LIQUID VISCOSITY: LOW

MATERIAL COMPOSITION:

CODE MAX TYPICAL

100% PETROLEUM

0 100.00

ATTACHMENTS: NONE

RESTRICTED SUBSTANCES: NONE

PROPER SHIPPING NAME: WASTE OIL

HAZARD CLASS:

NUMBER:

NEED ASSISTANCE

EPA WASTE DESCRIPTION AND TREATMENT STANDARDS: RCRA HAZARDOUS WASTE: YES

OTHER EPA WASTE CODES: 0001

P.O. NO: TYPE OF SAMPLE: # OF DRUMS SAMPLED: 0 TAKEN BY: SK REP

NAME: JEFF SEXTON TITLE: E.H.S. COORDINATOR 05/06/1992 (817) 592-2111

REVISION: 02/10/1993 13:35 NANCY DROUGAS

LOCATOR2 FR:

TO: 0000603658

CORPORATE REVIEWS: DISPOSITION REVIEWER DATE

TECHNICAL: ACCEPT JHP 05/27/92

REGULATORY: ACCEPT AAO 05/27/92

OPERATING: ACCEPT JWH 05/27/92

POSSIBLE FACILITIES:

658 654 618

000161 210490

PRICING CODE: F7

PART NUMBER: 82107

WASTE OIL FUEL

APPROVED FACILITIES:

SAFETY-KLEEN CORP

SAFETY-KLEEN CORP

SAFETY-KLEEN CORP

STATE HWY 146

633 EAST 138TH ST

1722 COOPER CREEK ROAD

NEW CASTLE KY 40050

DOLTON

IL 60419

DENTON

TX 76208

FED EPA#: KY0053348108

IL0980613913

TX0077603371

STATE EPA#:

0310690006

65124

TELEPHONE: 502/845-2453

708/849-4850

817/383-2611

STATE CODE:

000161

210490

APPROVD 0001038 DRUM OR BULK
DOT-EPA RQ WASTE PETROLEUM OIL
DESC. 3 UN1270 PG III
(0001)(ERG #27)

0000888 NOT FOR MANIFEST
PROPER SHIPPING DESCRIPTION WAS BASED ON
SURVEY INFORMATION RATHER THAN ANALYSIS.
SEE COMMENTS FOR DETAILS AND NOTICES.

EPA WASTE CODES
0001

COMMENTS: OK FOR WASTE OIL FUEL. FRS PART 82107.

THIS SERVES AS NOTICE PER, 40CFR264.12(B), THAT THE FACILITY(IES) NOTED ABOVE
HAS THE APPROPRIATE PERMITS AND IS WILLING TO RECEIVE THE MATERIAL DESCRIBED.

CONTINUED ON NEXT PAGE

ACCEPT
ENVIROSYSTEMS FUELS
CRYOVAC DIV OF W R GRACE
WASTE OIL
* * REPRINT * *

ACCEPT
CONTROL #: 0138630-3
SURVEY #: 273550

GENERAL ANALYSIS OF TOTAL SAMPLE

COLOR : OK BROWN
WATER CONTENT : 6.0 WT%
NON-VOLATILE RESIDUE : 92.1 WT% DESCRIPTION: OIL
FLAMMABILITY :
FLAMMABILITY : NO FLASH AT 75 F BY SETAFLASH
PH : EXTRACT BY METER 6.6
RADIOACTIVITY : NONE DETECTED

FUEL EVALUATION OF TOTAL SAMPLE

HEAT CONTENT: 16800 BTU/LB
TOTAL SULFUR S : 0.2 WT%
TOTAL CHLORINE CL: < 0.1 WT%
ASH UPON COMBUSTION: < 1.0 WT%
TOTAL BROMINE BR: < 0.1 WT%
TOTAL FLUORINE F : < 0.1 WT%

GENERAL COMPOSITION:

	SPECIFIC GRAVITY	VISCOSITY (CENTIPOISE)	GENERAL COMPOSITION BY: APPEARANCE (VOL%)	TOTAL (WT %)
AQUEOUS PHASE (FREE WATER)			0.0	0.0
ORGANIC PHASE (FEEDSTOCK)			100.0	100.0
BOTTOM SLUDGE (SEMISOLIDS)			0.0	0.0
BOTTOM SOLID (SETTLED SOLIDS)			0.0	0.0
TOTAL	.930	366 CPS	100.0	100.0

SPECIFIC COMPOSITION OF TOTAL SAMPLE

	COMPOSITION OF:	TOTAL SAMPLE (WT%)	TOTAL SAMPLE (WT%)
WATER CONTENT		6.0	6.0
NON-VOLATILE RESIDUE	DESCRIPTION: OIL	92.1	92.1
VOLATILE ORGANICS BY DIFFERENCE		1.9	1.9
TOTAL		100.0	100.0

VOLATILE ORGANIC COMPOSITION OF TOTAL SAMPLE BY GAS CHROMATOGRAPHY

SAMPLE PREPARATION METHODS: CS2-EXTRACT
DETECTION METHODS : FID, FID

COMPOUND NAME	CODE	CAS NUMBER	COMPOSITION OF: VOLATILE ORGANICS (WT%)	VOLATILE ORGANICS (WT%)	TOTAL SAMPLE (WT%)
TRACES OF VOLATILE ORGANICS DETECTED (<1.0% EACH)	TR	0-27-1	100.0	100.0	1.9
TOTAL			100.0	100.0	1.9

SUMMARY OF VOLATILE ORGANIC COMPOSITION BY COMPOUND CHEMICAL CLASS WT%:

ALCOHOLS	ALIPHATIC HYDROCARBONS
AROMATIC HYDROCARBONS	CHLORINATED SOLVENTS
ESTERS	ETHERS
GLYCOL ETHERS	INHIBITORS
KETONES	NITROGEN COMPOUNDS

SPECIFIC ORGANIC COMPOSITION

POLYCHLORINATED BIPHENYLS (PCBS): NONE DETECTED <

LABORATORY REVIEW: A	TRACKING INFORMATION:	DATE	FACILITY
LEVEL: SEG CODE:	SURVEY RECEIVED :	05/12/92	SK TECHNICAL CEN
LAB REVIEWERS: AU AU	SAMPLE RECEIVED :	05/12/92	
	RESAMPLE SHIPPED :		
	RESAMPLE RECEIVED:		

THE ANALYSES CONTAINED HEREIN ARE PERFORMED SOLELY FOR THE PURPOSE OF QUALIFYING THE ANALYZED MATERIALS FOR ACCEPTANCE BY SAFETY-KLEEN IN ACCORDANCE WITH ITS PERMITS AND PROCESSING CAPABILITY.

NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE IS REQUIRED UNDER 40 CFR PART 268.

EPA WASTE CODES FOR LDR: D001

ANALYSIS DOES NOT INDICATE THAT MATERIAL IS CALIFORNIA LIST HALOGENATED ORGANIC COMPOUND WASTE.

AUG 5 '93 11:54
30917 - R2270 (RUN 02/11/93)
PROJECT: PREQUALIFICATION
BRANCH/TERRITORY: 019300
ENVIROSYSTEMS

FROM SAFETY KLEEN-CHGO REG
PREQUALIFICATION EVALUATION - FINAL REVIEW REQUIRED
GENERATOR SURVEY

PAGE 008
PAGE 1
COMPLETED: 05/26/92
REVISED: 02/10/93

ACCEPT * * REPRINT * *

VIROSYSTEMS FUELS
CRYOVAC DIV OF W R GRACE
WASTE OIL/RAGS

ACCEPT

CONTROL #: 0000138632-7
LAB #: 0000041517-7
SURVEY #: 0000273548

CUSTOMER INFORMATION: 0000-80-3858

FEDERAL EPA ID: TXD073152126
STATE EPA ID:

CRYOVAC DIV OF WR GRACE
1301 W MAGNOLIA
IOWA PARK

TX 76367

ATTN: JEFF SEXTON

SALESPERSON: DENNIS GLENN

GENERATOR: CRYOVAC DIV OF W R GRACE
NATURE OF BUSINESS: CHEMICAL RESIN MFG
FEDERAL EPA ID: TXD073152126 IL:

S.I.C. NO:

MO: ST: TX ID: 31423 STATUS: LOG

FACILITY ADDRESS:

BILLING:

1301 W MAGNOLIA

IOWA PARK

TX 76367

GENERAL DESCRIPTION: WASTE OIL/RAGS

PROCESS DESCRIPTION: CLEAN UP OF MACHINERY

GENERATION AMOUNT: 100 GALLONS PER MONTH

AMOUNT ON HAND: 3 IN EITHER DRUMS OR BULK

SHIPPING FREQUENCY: 4 WEEKS

COLOR: WHITE, RED & BLACK

PCT SOLIDS NOT SAMPLED:

PH RANGE:

4-10

LAYERS OR PHASES: TWO

PHYSICAL STATE: LIQUID

VISCOSITY: LOW

MATERIAL COMPOSITION:

CODE MAX TYPICAL

L. PETROLEUM

0

30.00

GS, GLOVES, CLOTH, AND PAPER

RAG

70.00

ATTACHMENTS: NONE

RESTRICTED SUBSTANCES: NONE

PROPER SHIPPING NAME: WASTE OIL & RAGS

HAZARD CLASS:

NUMBER:

NEED ASSISTANCE

EPA WASTE DESCRIPTION AND TREATMENT STANDARDS: RCRA HAZARDOUS WASTE: YES

OTHER EPA WASTE CODES: 0001

P.O. NO: TYPE OF SAMPLE: GRAB # OF DRUMS SAMPLED: 0 TAKEN BY: SK REP
NAME: JEFF SEXTON TITLE: E.H.S. COORDINATOR 05/06/1992 (817) 592-2111

REVISION: 02/10/1993 13:36 NANCY DRUGAS
LOCATOR2 FR:

TD:0000603658

CORPORATE REVIEWS: DISPOSITION REVIEWER DATE

TECHNICAL: ACCEPT JHP 05/26/92

REGULATORY: ACCEPT AAO 05/26/92

OPERATING: ACCEPT JWH 05/26/92

POSSIBLE FACILITIES:

658 654 618

000161 990001

PRICING CODE: F8

PART NUMBER: 82114

WASTE, THERM DESTRUCT

APPROVED FACILITIES:

SAFETY-KLEEN CORP

SAFETY-KLEEN CORP

SAFETY-KLEEN CORP

STATE HWY 146

633 EAST 138TH ST

1722 COOPER CREEK ROAD

NEW CASTLE KY 40050

DOLTON

IL 60419 DENTON

TX 76208

FED EPA#: KYD053348108

ILD980613913

TXD077603371

STATE EPA#:

0310690006

65124

TELEPHONE: 502/845-2453

708/849-4850

817/283-2611

STATE CODE:

000161

990001

APPROVD 0001035 DRUM OR BULK

DOT-EPA RC HAZARDOUS WASTE, SOLID, N.O.S.

DESC. 9 NA3077 PG III (DOO1)(ERG/31)

0000888 NOT FOR MANIFEST

PROPER SHIPPING DESCRIPTION WAS BASED ON

SURVEY INFORMATION RATHER THAN ANALYSIS.

SEE COMMENTS FOR DETAILS AND NOTICES.

COMMENTS: OK FOR THERMAL DESTRUCTION. FR5 PART 82108.

EPA WASTE CODES
0001

THIS SERVES AS NOTICE PER, 40CFR264.12(B), THAT THE FACILITY(IES) NOTED ABOVE
HAS THE APPROPRIATE PERMITS AND IS WILLING TO RECEIVE THE MATERIAL DESCRIBED.

CONTINUED ON NEXT PAGE

BRANCH/SUBMITTER: 019300
ENVIROSYSTEMSCOMPLETED: 05/28/92
REVISED: 02/10/93

A C C E P T

* * REPRINT * *

A C C E P T

ENVIROSYSTEMS FUELS
CRYOVAC DIV OF W R GRACE
WASTE OIL/RAGSCONTROL #: 0138632-7
SURVEY #: 273548

GENERAL ANALYSIS OF TOTAL SAMPLE

COLOR : BROWN/BLACK
 NON-VOLATILE RESIDUE : 96.6 WT% DESCRIPTION: OIL&SOLID
 FLAMMABILITY :
 FLAMMABILITY : NO FLASH AT 75 F BY SETAFLASH
 PH : EXTRACT BY METER 6.1
 RADIOACTIVITY : NONE DETECTED
 COMMENTS: RAGS/PAPER WIPES/BULK DENSITY

FUEL EVALUATION OF TOTAL SAMPLE

HEAT CONTENT: 16200 BTU/LB
 TOTAL CHLORINE CL: 0.4 WT%
 TOTAL BROMINE BR: 0.0 WT%
 ASH UPON COMBUSTION: < 1.0 WT%
 TOTAL SULFUR S: 0.2 WT%
 TOTAL FLUORINE F: < 0.1 WT%

GENERAL COMPOSITION:

	SPECIFIC GRAVITY	VISCOSITY (CENTIPOISE)	GENERAL COMPOSITION BY:	
			APPEARANCE (VOL%)	TOTAL (WT %)
AQUEOUS PHASE (FREE WATER)			0.0	0.0
ORGANIC PHASE (FEEDSTOCK)			0.0	0.0
BOTTOM SLUDGE (SEMISOLIDS)			0.0	0.0
BOTTOM SOLID (SETTLED SOLIDS)			100.0	100.0
TOTAL	.850	> 50000 CPS	100.0	100.0

SPECIFIC COMPOSITION OF TOTAL SAMPLE

	COMPOSITION OF:	TOTAL SAMPLE (WT%)	TOTAL SAMPLE (WT%)
WATER CONTENT		0.0	0.0
NON-VOLATILE RESIDUE	DESCRIPTION: OIL&SOLID	96.6	96.6
VOLATILE ORGANICS BY DIFFERENCE		3.4	3.4
TOTAL		100.0	100.0

VOLATILE ORGANIC COMPOSITION OF TOTAL SAMPLE BY GAS CHROMATOGRAPHY

SAMPLE PREPARATION METHODS: CS2-EXTRACT
 DETECTION METHODS : FID, FID

COMPOUND NAME	CODE	CAS NUMBER	COMPOSITION OF: VOLATILE ORGANICS (WT%)	VOLATILE ORGANICS (WT%)	TOTAL SAMPLE (WT%)
TRACES OF VOLATILE ORGANICS DETECTED (<1.0% EACH)	TR	0-27-1	100.0	100.0	3.4
TOTAL			100.0	100.0	3.4

SUMMARY OF VOLATILE ORGANIC COMPOSITION BY COMPOUND CHEMICAL CLASS WT%:

ALCOHOLS	ALIPHATIC HYDROCARBONS
AROMATIC HYDROCARBONS	CHLORINATED SOLVENTS
ESTERS	ETHERS
GLYCOL ETHERS	INHIBITORS
KETONES	NITROGEN COMPOUNDS

SPECIFIC ORGANIC COMPOSITION

POLYCHLORINATED BIPHENYLS (PCBS): NONE DETECTED <

LABORATORY REVIEW: R	SEG CODE:	RELEASED: 05/26/92	TRACKING INFORMATION:	DATE	FACILITY
LEVEL:	AJ AJ	ANALYZED: 05/21/92	SURVEY RECEIVED :	05/12/92	SK TECHNICAL CEN
LAB REVIEWERS:			SAMPLE RECEIVED :	05/12/92	
HIGH VISCOSITY:			RESAMPLE SHIPPED :		
			RESAMPLE RECEIVED:		

THE ANALYSES CONTAINED HEREIN ARE PERFORMED SOLELY FOR THE PURPOSE OF QUALIFYING THE ANALYZED MATERIALS FOR ACCEPTANCE BY SAFETY-KLEEN IN ACCORDANCE WITH ITS PERMITS AND PROCESSING CAPABILITY.

MARKETING NOTATIONS: (TYPE "F" OR "E")

(0001) OK CATEGORY 82104F PER J. LUCKS

NOTICE OF LAND DISPOSAL RESTRICTION OF WASTE IS REQUIRED UNDER 40 CFR PART 268.

EPA WASTE CODES FOR LOR: 0001

ANALYSIS DOES NOT INDICATE THAT MATERIAL IS CALIFORNIA LIST HALOGENATED ORGANIC COMPOUND WASTE.



END OF DOCUMENT

Safety Kleen's Comments

Comment #1

Page 1 of Fact Sheet - Section II.A

On the sixth line, a listing of various types of wastes is included. After the phrase "waste oil" the following parenthetical should be added "(which is not regulated as a hazardous waste)". In that same sentence, in line eight, the term non-hazardous should be added and the phrase "and are not subject to the compliance requirements of this permit" should be added at the end of the existing parenthetical.

In addition, the description of transfer wastes should not be limited to fluid recovery service wastes. The fluid recovery service wastes are one group of wastes managed on a transfer basis; there may be wastes outside of that program which are also managed in that fashion. The sentence would then read:

Wastes accepted include parts cleaner wastes, dry cleaning wastes, paint wastes, spent antifreeze, waste oil (which is not regulated as a hazardous waste), and wastes (hazardous and non-hazardous) including, but not limited to fluid recovery service wastes, that remain on site for less than ten days and therefore are not subject to the compliance requirements of this permit).

In the same paragraph, line 5, the language specifies that wastes are sent to Safety Kleen's recycle centers. These statements should be expanded to note that wastes may also be sent to other properly permitted treatment, storage or disposal facilities.

Response:

The Fact Sheet portion of the Draft RCRA Part B Permit is included in an effort to inform and familiarize readers of current operations conducted at this facility. Since the Fact Sheet is not included in the final RCRA Part B Permit, these corrections are hereby noted for further references.

Comment #2

Page 2 of Fact Sheet - Section III.A

In the second line of this paragraph, there is a reference to Exhibit B-5. That reference identification should be Appendix B-5 to be consistent with the draft permit structure. Likewise in the thirteenth line, the reference to Exhibit C should be changed to Appendix C.

On the fourth line fourth sentence, the term non-ignitable should be changed to read "non-flammable".

In the eighth line of that same paragraph, the term "dumpster mud" should be added to the listing of wastes which may be stored in the warehouse container storage area. In addition, the word "are" at the beginning of the ninth line, should be changed to "may be" since the storage of the materials is permissible rather than occurring at any given time.

Also in the eighth line, the parenthetical dealing with dry cleaning wastes should be revised. The parenthetical description should say "solvent, still bottoms and filter cartridges".

In the eleventh line, dry cleaning wastes are identified as being permitted for storage within the flammable waste storage area. Safety Kleen believes it would be more accurate to identify these materials as mineral spirits dry cleaning wastes, since it is that type of dry cleaning waste which will be placed in the shelters.

Response:

Since the Fact Sheet is not included in the final RCRA Part B Permit, these corrections are hereby noted for further references.

Comment #3

Page 2 of Fact Sheet - Section III.B

It is stated that a maximum of 19,000 gallons of spent mineral spirits and 9,500 gallons of spent antifreeze may be stored in these tanks. In fact, Safety Kleen is permitted to store up to 20,000 gallons in the mineral spirits tank and 10,000 in the antifreeze tank; the 19,000 and 9,500 gallon levels are the respective points at which the high-level alarms will sound on each tank. Safety Kleen agrees that it will not store volumes in excess of these high-level alarm levels, but felt this point should be clarified. On line 9, the word "implement" should be changed to "meet" since Safety Kleen is not implementing the regulations, it is complying with such requirements.

Response:

Since the Fact Sheet is not included in the final RCRA Part B Permit, these corrections are hereby noted for further references.

Comment #4

Description of Facility

Waste oil should be identified as a non-hazardous material; fluid recovery service wastes should be described as hazardous and non-hazardous, and not subject to compliance requirements since they are managed on a transfer basis.

Response:

The Agency agrees that waste oil is regulated as a non-hazardous material and has modified the permit accordingly. The Agency has also modified the permit to indicate that the fluid recovery wastes are hazardous and non-hazardous wastes that are not subject to RCRA requirements.

Comment #5

Description of Facility - Subparagraph 1

On line two of this paragraph, the word "Ignitable" should be changed to "Flammable" since the areas referenced are NFPA rated for flammables, not just ignitables. The last sentence of this paragraph should be revised to read:

Wastes with flash points greater than 100 degrees F are stored in the warehouse container storage area.

Response:

In accordance with 35 IAC 721.121, a solid waste exhibits the characteristic of ignitability if it has a flash point less than 140 degrees F. Although a waste may be defined as flammable by NFPA standards, the waste is still an ignitable waste as defined by RCRA standards. Therefore the wording, as written in the permit, will remain.

Comment #6

Description of Facility - Subparagraph 2

The last sentence of this paragraph refers to a product mineral spirits tank. Since product tanks are not regulated under any of the waste provisions, Safety Kleen believes this sentence should be deleted from the permit description. In the alternative, the tank should be described as a product solvent tank to most clearly reflect its contents.

Response:

The Agency feels is appropriate to outline that all four tanks have a designated purpose since this a general description of the facility. Therefore a reference to the product tank will remain, but the reference will be revised as requested.

Comment #7

Section I.A

It is noted that the Warehouse Storage Area is 100 feet x 160 feet. The storage area is 15 feet x 28.75 feet. This statement in the permit needs to be corrected to reflect the actual dimensions of the area. In the first line of the identification of units, status, maximum capacity and dimensions, the word "received" should be changed to "stored" since this section of the permit deals with storage of containers, not receipt. In the next line, same sentence, the word "arrive" should be changed to "be" to tract the earlier revision. The word either should be deleted since there are more than two alternative containers identified in the listing. In addition, a 15 gallon drum, a 5 gallon polyethylene container and a split 30 gallon drum used for dry cleaning filters should be added to the listing of possible containers.

In the sixth line of the paragraph, there is a reference to Section 4.8 NFPA 30. That provision relates to outside storage of containers, not inside storage such as that practiced by Safety Kleen. Therefore, the reference to Section 4.8 must be deleted from the permit.

Safety Kleen also believes that the numbered sub-items require revision. In the number 1 point, DOT approval of containers is specified. However, DOT does not approve containers. Rather that agency has developed specifications for containers which are appropriate for certain uses. This item should be modified to state that the containers will be consistent with 49 CFR 178 provisions as appropriate.

Item two should also be revised to reflect acceptable packaging practices. The sentence should be changed to read:

The container or its liner is compatible with the waste; with this modification, the item would be consistent with both regulatory requirements which contemplate the use of liners and anticipated Safety Kleen practices.

Response:

The dimensions of the Warehouse Storage Area have been corrected to 15 feet x 28.75 feet.

The first sentence is consistent with the way the facility is operated. Wastes are received for storage in the containers listed. Therefore, the word "received" will remain as well as "arrive". The Agency has deleted the word "either" from the sentence and has included a reference to a 5 gallon polyethylene container. Exhibit D-10 of the permit application indicates that the split 30 gallon drum is made

of steel. Since steel is included as a material of construction for 30 gallon drums in the condition, the Agency does not see the necessity to include this change in the permit. The Agency also has not included a reference to a 15 gallon drum since there was no mention of such a drum in the permit application. The paragraph in this condition now reads as follows:

"Containers of hazardous waste received at the facility for storage will arrive in 5 gallon drums (steel or polyethylene plastic), 16 gallon drums (steel or polyethylene plastic), 30 gallon drums (steel or polyethylene plastic), 55 gallon steel drums, or 85 gallon overpacks. Containers in the storage area must be stored in ..."

The Agency has corrected the reference to Section 4.8 NFPA 30 to Section 4.5 NFPA 30.

The Agency is aware that DOT does not specifically approve a certain container for a certain use at a certain facility but, instead, has developed specifications that identify a container's dimensions, material of construction, and appropriate uses. As long as a container meets the specifications developed by DOT and is used in accordance with those specifications, the Agency feels the container is DOT approved. Therefore, the condition, as worded in the permit, will remain.

The Agency has reviewed item two and agrees to revise the condition to read:

"The container or its liner is compatible with the waste;"

Comment #8

Section I.B(2)

Safety Kleen's comments on this paragraph are analogous to those made under Comment (1) above. The parenthetical description of dry cleaning wastes in the fourth and fifth lines should be changed to say "solvent, still bottoms, and filter cartridges". On the eighth line, dry cleaning wastes should be modified to read "mineral spirits drying cleaning wastes".

In addition to these changes in waste descriptions, Safety Kleen believes that the sixth line of the paragraph requires revision. That line includes the sentence: "The Permittee may only store paint wastes, mineral spirits . . .". That sentence should be modified to conform to other statements in the permit to say that the Permittee may store. Safety Klan may store non-hazardous wastes with the container storage area in accordance with the regulations, and, therefore, the permit should not be written so as to possibly be interpreted

to preclude that compliant practice. Safety Kleen may store such wastes as long as the capacity limit for the area is not exceeded and the wastes are compatible.

Further, in the listing of wastes to be stored, it should be stated that dumpster mud may also be stored in the container storage area. As noted previously, that area is NFPA rated for Class II flammables, and, therefore, a combustible such as dumpster mud may properly be stored there.

Response:

Safety Kleen did not provide information on dry cleaning solvent waste in the permit application. So the Agency could not conduct air modelling assessments and does not have information on the hazardous waste codes that apply to the solvent waste (i.e. is it ignitable). Without this information the Agency cannot include "solvent" in the parenthetical description of dry cleaning wastes.

The Agency has modified the eighth line to read "mineral spirits dry cleaning wastes".

The Agency has reviewed Safety Kleen's comments on storing containerized non-hazardous waste in the permitted storage units. The Agency has modified Condition I.B.2 by deleting the word "only" from the sixth line and has modified Condition I.B(4), as written below, to further address these concerns.

"The Permittee may store non-hazardous waste which has been approved by this Agency through a supplemental waste stream permit in the warehouse container storage area and the flammable waste storage shelter. All non-hazardous waste must be evaluated for compatibility prior to being placed into storage. No waste which is incompatible with any of the other permitted wastes may be accepted."

The permit application states that no ignitable wastes will be stored in the warehouse container storage area. The dumpster mud is characteristically ignitable. Therefore, the condition will not be written to allow the storage of dumpster mud in the warehouse container storage area.

Comment #9

Section I.C(4)

This condition prohibits Safety Kleen from storing non-hazardous waste in the units identified in B-2 (warehouse container storage area and flammable shelters). As stated above, the regulations would allow Safety Kleen to store non-hazardous wastes in these units as long as the total volume of waste does not exceed the units permitted capacity and the

non-hazardous waste is compatible with the other waste stored. This provision should be eliminated or, in the alternative, at least modified to state that non-hazardous waste which is compatible and does not exceed the capacity may be stored in the B-2 units.

Reponse:

See response to Comment #8

Comment #10

Section I.B(5)

Through this permit provision, the Agency is attempting to control the placement of transfer wastes at the facility. Such wastes are explicitly excepted from all permitting requirements under 35 IAC 723.112 and, therefore, the IEPA may not impose permit conditions on them. In particular, these wastes are by regulatory definition not stored within the meaning of 35 IAC 724 and, therefore, are not subject to permit storage requirements. Safety Kleen would find this provision acceptable if it were modified to read:

"Transfer wastes may be managed in the two model 44 Class B shelters or trailer truck or other appropriate units at the facility for ten days or less."

This provision would allow Safety Kleen to operate in accordance with all regulatory requirements and would also avoid the necessity of obtaining a permit modification each time transfer wastes may be moved.

Response:

The Agency is not attempting to regulate the storage of transfer wastes. The Agency is assuring that the permitted storage units are operated so as to protect human health and the environment. Considering the variety of wastes that Safety Kleen may accept as a transfer waste, the Agency is concerned that incompatible wastes may be stored together. Safety Kleen has not proposed an operating procedure to separate incompatible transfer wastes prior to storage. Therefore, the condition, as worded in the permit, will remain.

Comment #11

Section I.B.(7)

This provision states that non-hazardous wastes may only be placed in a unit permitted under 35 IAC 807. That statement does not comport with the IEPA's own regulations and the Pollution Control Board's statements during adoption of those

regulatory requirements. Therefore, the condition must be eliminated from the permit.

35 IAC 807.105 explicitly provides that solid waste units located at facilities regulated under the hazardous wastes regulations are not subject to Section 807 permitting requirements. The only exception to this blanket exemption is for units used solely for disposal of solid wastes at such hazardous waste facilities. The Safety Kleen Peking Service Center has no such units.

In adopting 35 IAC 807.105, the Pollution Control Board accepted the comments of its Technical Subcommittee with respect to the possibility of double regulation of certain facilities. In response to a comment by the IEPA, the Board Subcommittee stated that it was the intent of 807.105 provision that the facilities regulated under the hazardous waste regulations not also be subject to the 807 permitting requirements unless they were disposal units. The Agency may not simply ignore this response to its own comments and the clear regulatory language in developing permit conditions. Subparagraph 7 must be deleted from the Peking Part B permit.

Response:

The Agency has reviewed this condition and has modified it to read:

"Non-hazardous wastes may only be stored in a permitted unit identified in Condition B.1 above."

Comment #12

Section I.C(1)

On the fifth line of this paragraph, it is specified that wastes must immediately be transferred from a container that may be leaking. Safety Kleen has no problem with transferring waste from leaking containers as one alternative for addressing such situations. However, the company also believes it may be appropriate to overpack such containers; or in some instances, repair slight defects so that leaking is corrected. Safety Kleen believes that the statement should be rewritten as follows:

"Permittee must immediately transfer the waste from this container to a container that is in good condition, repair, the container, overpack the container or manage the waste in accordance with the approved permit application."

Response:

The Agency accepts overpacking a leaking container as an acceptable alternative. The Agency does not believe that

repairing a defective drum while waste is leaking from that drum is an acceptable alternative. Safety Kleen did not indicate how a defective container would be repaired or when it would be appropriate to repair a leaking container instead of transferring the wastes or overpacking the container. Therefore, the Agency will modify the condition to allow the overpacking of a leaking container, but will not modify the condition to allow a drum to be repaired without transferring wastes or overpacking the drum.

Comment #13

Section I.C.(3) and (4)

Each of these provisions ends with the statement that 49 CFR 172 must be complied with. The last sentence of Subparagraph 3 states that containers will be marked and placarded in accordance with 49 CFR 172; those regulations do not always require making and placarding. Therefore, Safety Kleen suggests that the phrase "if required" be added to the end of the Subparagraph. The same addition is suggested for Subparagraph 4.

Response:

Conditions I.C.(3) and (4) state that all containers must be marked and placarded and the contents clearly identified on the side of the container in accordance with 49 CFR 172. If 49 CFR 172 does not require a container to be marked and placarded or the contents to be clearly identified, then Safety Kleen would be operating in accordance with 29 CFR 172 if the containers are not marked and placarded or the container's contents are not clearly identified. Therefore, the condition, as written in the permit, will remain.

Comment #14

Section I.E(2)

The opening sentence of this paragraph states that an aisle space of two feet will be maintained. Under certain circumstances, Safety Kleen may maintain a wider aisle. Therefore Safety Kleen would modify this provision to state "at least two feet" to allow for wider spacing.

On the last line of that paragraph, the permit provides for a six inch space between pallets and walls. However, not all containers are stored on pallets. Therefore, this sentence should be revised to say ". . . six inches shall be maintained between the pallets or containers (if not palletized) and the walls."

Response:

The Agency has reviewed this condition and concluded that it is overly restrictive. Therefore, this condition will be revised so that containers are not required to be stored on pallets but must not be stored closer than six inches from a wall.

Comment #15.

Section I.E(3)(b)

This item now specifies that containers must be separated by a pallet or other dunnage as described in the permit application. Therefore, Safety Kleen would change this requirement as follows:

"Containers are separated by a pallet, or other dunnage, if necessary, to provide stability; and"

Response:

Safety Kleen does not propose any stacking procedures in the application which would provide sufficient stability for everyday operation. Therefore, the condition, as written in the permit, will remain.

Comment #16

Section I.F(1)

Safety Kleen suggests that this provision be revised along the same lines as noted above in Comment #11. At the end of the first sentence, the options of repairing the drum if permanent repair can be done immediately or transferring the material out of the deteriorated drum should be included in this permit provision.

At the end of that paragraph, the same options for addressing this type of situation should be added to the permit. After the existing end of the sentence, the language "or the material has been placed in a drum of adequate integrity, or the drum has been permanently repaired," should be added.

Response:

See response to Comment #12

Comment #17

Section I.F(2)

This subparagraph deals with the condition of the secondary containment for the storage area. The existing language provides that if there are any cracks in the containment, all of the wastes must be immediately removed. However, it is

quite possible that there may be surficial cracks or deterioration of the coating and/or containment which would not adversely impact its integrity. Safety Kleen would like this provision modified to allow a repair period for such surficial condition so that removal of waste is only required if the integrity of the containment may be implicated.

Response:

The Agency is unsure how to properly define a surficial crack. In accordance with 35 IAC 724.275(b)(1), waste cannot be stored in a containment system that has a base which is not free of cracks or gaps. Therefore, the condition, as worded in the permit, will remain.

Comment #18

Section I.G(1)

The permit is now drafted to state that Safety Kleen shall perform annual maintenance. However, it is possible that maintenance actions may not be necessary each year. Consequently, Safety Kleen believes the words "if necessary" should be added after the phrase "annual maintenance" to reflect that fact.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #19

Section I.H(2)

This provision prohibits Safety Kleen from locating containers of ignitable waste within 50 feet of the facility's property line. The word "locate" should be changed to "store" to meet the intent of the regulations which provide that ignitable waste may not be stored too close to facility boundaries.

Response:

In accordance with 35 IAC Section 724.276, all containers holding ignitable or reactive waste must be located at least 50 feet from the facility's property line. Therefore, the condition, as written in the permit, will remain.

Comment #20

Section I.J.(1)(d)

This item deals with the manifesting for containerized waste

received at the Peking facility. Under the existing draft, the permit recognizes the permitting exception for small quantity generators defined in 35 IAC 721.105(a). However, the provision should also recognize that Safety Kleen operates under certain multi-stop and tolling agreements approved by IEPA and allowable under the regulations. These arrangements must also be noted in this permit paragraph.

Response:

The Agency recognizes that Safety Kleen accepts some wastes under a multi-stop permit. A multi-stop permit is a form of a special waste stream permit and not a manifest issue. The Agency is unsure as to what is meant by tolling agreements. Therefore, the condition, as written in the permit, will remain.

Comment #21

Section I.J.(2)

The last sentence of this provision should be revised as described under Comment #16 above. Instead of requiring removal of all waste from the area, the provision should be changed to allow expeditious repair if the integrity of the containment is not impacted by the cracks, coating failure or other defect.

Response:

See response to Comment #17

Comment #22

Section I.J.(3)

This provision requires Safety Kleen to remove any precipitation which accumulates in the containment system within 24 hours of discovery. Safety Kleen is concerned that it may not be possible to comply with this requirement as to snow and ice. The company suggests that the provision be limited to rain or liquid from precipitation, or pumpable precipitation so it is clear that snow and ice can not be removed within 24 hours in all cases.

Response:

The amount of snow and/or ice within the secondary containment will have a direct impact on the capacity of the secondary containment. If the snow or ice cannot be removed within 24 hours, the field office should be contacted and made aware of the problems. Therefore, the condition, as written in the permit, will remain.

Comment #23

Section I.K(3)

This subparagraph deals with sweepings, washwater and rinsate from the container storage area closure. As written, the provision requires Safety Kleen to manage these residuals as hazardous wastes. Safety Kleen would like the option of testing these materials to show they are non-hazardous as part of the closure. Therefore, Safety Kleen would like this provision revised as follows:

"Sweepings collected during closure of the container storage area shall be managed as a hazardous waste or characterized through analysis and managed in accordance with applicable regulations. All washwater and rinsate generated during the closure of these units shall also be managed as a hazardous waste or characterized through analyses and managed in accordance with applicable regulations. "

Response:

The Agency has reviewed this condition and agrees that it is overly restrictive. The Agency agrees to modify this condition if Safety Kleen agrees to update it's closure cost estimates to include the additional cost for analyzing the sweepings. The Agency has included Condition V.F in Attachment D to allow Safety Kleen ninety (90) days to update the closure cost estimate.

Comment #24

Section I.K.(8)

This provision relates to the OSHA requirements codified in 29 CFR 1910. The IEPA is not the implementing authority as to these regulations and, therefore, this provision is not appropriately included in a hazardous waste facility permit.

Response:

In accordance with 35 IAC Section 703.241(a)(2), the Agency may issue permits which contain conditions that protect human health and the environment. The intent of this condition is to prevent untrained workers from coming into contact with hazardous wastes. Therefore, the condition, as written in the permit, will remain.

Comment #25

Section II.A.

This opening paragraph should be partially reworded to more clearly reflect the conditions at the Peking Service Center.

The opening sentence should be reworded to say:

"Each tank at the Peking Service Center is dedicated to one of a variety of purposes, including product storage, hazardous waste storage, and waste oil storage.

The third sentence would also be changed to state:

"Associated with this activity are these two existing above ground tanks, each of which is dedicated to the storage of a particular waste.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #26

Section II.B(1)

This provision should be modified to more accurately reflect the regulatory requirements. In addition a reference to II.B(3) should be added to those already included in this subparagraph. The provision would then read:

"Storage of regulated hazardous waste in tanks other than those specifically identified in II.B(1), II.B(2), and II.B(3) is prohibited.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #27

Section II.C(2)(a)

This subparagraph should be revised to more clearly conform to the regulatory requirements of 35 IAC 724.293. The last line should be changed to read "impermeable interior surface coating" or liner that since it is the inside of the containment system which must be protected from direct contact with stored waste material.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #28

Section II.C(2)(b)

The Agency's regulations do not contain any provision requiring annual inspection and maintenance of containment surface coatings. Therefore, this requirement must be deleted as being beyond regulatory authorities. Safety Kleen inspects its containment systems on a daily basis as described in the permit application and performs maintenance as it becomes necessary. The Company does not believe that an independent annual inspection requirement is warranted under such circumstances.

Response:

In accordance with 35 IAC 724.293(e)(2), vault systems must be constructed with chemical-resistant water stops in place at all joints and provided with a lining which will prevent migration of waste into the concrete. Safety Kleen must inspect the tanks' vault systems to assure that the surface coating meets these requirements, and, in accordance with 35 IAC 724.115(a), Safety Kleen must conduct inspections often enough to identify problems in time to correct them before they harm human health or the environment. Safety Kleen is also required by 35 IAC 724.295(b)(3) to inspect the secondary containment system for signs of erosion once each operating day. The Agency is simply requiring a more detailed inspection on an annual basis. This condition is well within the regulatory authority of the Agency and will remain unchanged.

Comment #29

Section II.D(3)

In the fifth line of this paragraph, the following requirement is stated:

"In addition, all hazardous and non-hazardous special wastes received at the facility must be permitted by an IEPA issued special waste permit and be accompanied by a properly completed Illinois manifest..."

Again, this requirement is not consistent with the requirements of 35 IAC 807.105 and the Illinois Pollution Control Board's interpretation thereof. Safety Kleen as a facility regulated under 35 IAC 724, is not required to also have a permit for non-hazardous special wastes received at the facility. This is also true for hazardous and non-hazardous wastes which are managed on a transfer basis. Such wastes may be identified in the Part B permit but are not subject to hazardous waste requirements imposed via that permit. This statement must therefore be modified to read that all hazardous wastes received for storage at the facility must be permitted by IEPA.

Also, with regard to this permit provision, Safety Kleen

believes that the end of the last sentence should be expanded to acknowledge that certain wastes may be received pursuant to Agency approved multi-stop or tolling arrangements.

Response:

The Agency agrees that 35 IAC Section 724.123(g) exempts hazardous transfer wastes from the RCRA permitting program. The reason for banning the storage of hazardous transfer wastes in the permitted units is detailed in the Agency's response to Comment #10. The exemption to the permit program indicated in 35 IAC Section 724.123(g) applies only to hazardous wastes. This same exemption does not apply to the storage of non-hazardous wastes in a unit that is not being permitted for use in this permit. Safety Kleen is required to have a permit to accept non-hazardous special and non-special wastes for storage (regardless of whether the waste is a transfer waste or not). Section 21(d) of the Illinois Environmental Protection Act clearly requires such a permit. Non-hazardous special wastes are not regulated under 35 IAC 724 but under 35 IAC 807 and must obtain a special waste permit as required by 35 IAC Section 807.210. Therefore, the condition, as worded in the permit, will remain.

The Agency acknowledges that a multi-stop permit is a form of a special waste stream permit. Therefore, the condition, as worded in the permit, will remain. The Agency is not aware of Safety Kleen's meaning of "tolling arrangements".

Comment #30

Section II.D(4)

Safety Kleen has a minor point of clarification with respect to this provision. The word "facility" should be changed to "Safety Kleen" since it is the Company who employs the personnel as opposed to the facility.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #31

Section II.D(5)

Subparagraph 5 concerns the removal of precipitation from a tank system's secondary containment. As written, the provision does not allow for the fact that the facility is closed on weekends and holidays so that any collected precipitation may not be observed within a 24-hour period if the event occurred on any of these days. In addition, the provision does not recognize that removal of snow/ice within

24 hours may present practical problems. Safety Kleen, therefore, asks that this provision be modified in accordance with 40 CFR 264.193(b)(4) and its State counterpart 35 IAC 724.293 to read as follows:

"Precipitation accumulating within the tank farm shall be removed from the secondary containment within 24 hours, or in as timely a manner as is possible to prevent harm to human health and the environment, if Safety Kleen can demonstrate that the precipitation could not be removed within 24 hours.

In the alternative precipitation would be revised to be limited to rain or pumpable liquid from precipitation as noted previously.

Response:

The amount of snow and/or ice within the secondary containment will have a direct impact on the capacity of the secondary containment. If the snow or ice cannot be removed within 24 hours, the field office should be contacted and made aware of the problems.

Comment #32

Section II.F(3)

This provision is acceptable to Safety Kleen as written with one minor point of clarification. The Company believes that the statement would be more readily understood by those responsible for compliance if it read as follows:

"Releases of hazardous waste from spills and leaks which are observed in the secondary containment system shall be removed within the same operating shift during which they are detected and managed as hazardous waste."

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #33

Section II.F(4)

Both the introductory language and subsection (a) of this provision reference an ultrasonic thickness test. Such testing is not required for existing tank systems with secondary containment such as those of the Peking Service Center. In particular, annual ultrasonic testing is not provided for in the regulations for tank systems like those at Peking. The regulations provide for leak testing of such tank systems. Therefore, these references must be removed

from the permit.

The tanks used at the Peking facility are each consistent with UL listings and, therefore, have specified minimum thicknesses. For example to meet UL 142 listing requirements, the tank wall and containment minimum thickness is 1/4 inch and the head thickness is 5/16 inch. Again thickness testing is not required or necessary given the UL compliant tanks used.

Response:

The Agency feels it is necessary to conduct an annual inspection of the tanks to ensure the integrity of the tanks as required by 35 IAC 724.115. Although ultrasonic testing will not determine localized areas of corrosion such as oxygen pitting, galvanic action, selective leaching and intergranular corrosion like an internal inspection, ultrasonic testing is an acceptable means to confirm rates of corrosion and will provide information on the overall integrity of the tank on an annual basis. When combined with an internal inspection conducted every 5 years, the Agency feels that this testing requirement meets the requirements of 35 IAC 724.115. Safety Kleen may propose to conduct two years of annual internal inspections to determine the rate of corrosion and access the presence of localized corrosion. Therefore, the condition, as worded in the permit, will remain.

Comment #34

Section II.F(4)(b)

This provision provides specifically for hydrostatic leak testing. The regulations allow the owner/operator to select the type of leak testing it will implement. [See 35 IAC 724.293(i)(3)] In addition, hydrostatic testing is not identified in the opening paragraph of provision 4. Safety Kleen requests that the word "hydrostatic" be eliminated from this subparagraph.

Response:

This condition does allow Safety Kleen to choose an alternate leak test as long as that test is approved by the Agency. Therefore, the condition, as worded in the permit, will remain.

Comment #35

Section II.F(4)(e)

This item now assumes that all washwater and other waste from evacuation of a tank will be hazardous. That is not

necessarily the case especially since the hazardous wastes stored in the tanks are characteristic wastes, as opposed to listed wastes. Therefore, Safety Kleen requests that this provision be revised as follows:

"All wastes and washwater generated during evacuation of the tanks shall be managed as a hazardous waste, or characterized through analysis and managed in accordance with applicable regulations."

Response:

The Agency has reviewed Safety Kleen's argument and has modified the condition, as below, to address your concerns.

"All wastes and washwater generated during evacuation of the tanks shall be managed as a hazardous waste unless analyses indicates the waste and washwater are non-hazardous waste."

Comment #36

Section II.G(1)

This subparagraph requires reporting to the Agency of any spill or leak in a tank system or secondary containment within 24 hours of occurrence unless the spill or leak is less than one pound in quantity and immediately cleaned up. Safety Kleen believes it would be more realistic to word this provision to require reporting with 24 hours of detection of discovery. Also, under 35 IAC 724.296(d)(a), the reporting requirement applies to spills or leaks that release to the environment. That element of the regulatory requirement is already recognized in Subparagraph 2 of this section of the permit. This provision should be modified to include that pre-condition to reporting.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #37

Section II.J(2)

This paragraph requires all sweepings to be managed as a hazardous waste. Again, as noted in one of the comments above, Safety Kleen would like this provision revised to be more flexible. The sentence would be reworded to say that:

"Sweepings collected during closure of any tank system shall be managed as a hazardous waste or characterized through analysis and managed in accordance with applicable regulations."

Response:

See response to comment #23. The numbering sequence has been corrected in this section. There are now seven conditions instead of six.

Comment #38

Section III - Tank Systems F(6)(f)

Item F(6)(f) should be clarified with a reference to the five (5) year assessments so that it is clear which integrity assessments are referred to in the permit requirement.

Response:

This reference has been corrected to read F(4)(f). This condition requires the results of each inspection required by Sections F(4)(a), (b), and (c) to be submitted to the Agency within 60 days. The Agency has modified the condition, as below, to address your concerns.

"Results of the inspections identified in 4(a), (b), and (c) above shall be submitted to the Division of Land Pollution Control of this Agency within 60 days of the inspection date, and shall also be included in the operating record of this facility."

Comment #39

Section III - Section II.G(1)

This item should be modified as noted in Comment #33 above. The spill or leak which must be reported is one that constitutes a release to the environment. In Item G(2), a reference to a release as described in G(1) should be added so that the item is clear.

Response:

35 IAC 724.151 states that each owner or operator must have a contingency plan. The contingency plan must be designed to minimize hazards to human health or the environment from fires, explosions or any unplanned release of hazardous waste or hazardous waste constituents to air, soil or surface water. Air modelling indicates that spills have the potential to impact areas offsite. Therefore, the Agency requires notification of spills. While all spills may not threaten human health, the public may be aware of problems at a site due to the odors prevalent with spills. For this reason, the Agency requires notification to be able to address public concerns. While releases inside containment may have less potential to migrate offsite, the potential to threaten human health, particularly workers, exists.

Therefore, the condition, as worded in the permit, will remain.

Comment #40

Section III - Section II.J(5)

The entry under the heading of "Due Date" should be modified to read as follows:

30 days after modification of permit or 30 days after close of the fiscal year

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #41

Section III - Standard Conditions #19

Item 19 speaks in terms of notifying the Agency. Safety Kleen believes that compliance with this term would be facilitated if the section of the Agency to which reports must be made were specified.

Response:

The Agency in this condition refers to the Illinois Environmental Protection Agency.

Comment #42

Section III - Standard Conditions #41

Under item #41, in the fourth and fifth paragraphs, there references to reporting releases to the Agency or IEMA. Safety Kleen currently notifies IEMA in the event of such a release. If that practice is acceptable to IEPA, the company feels the permit language should be modified to specify IEMA so that compliance responsibilities are clear.

Response:

When the contingency plan is implemented, Safety Kleen must notify the Agency and IESDA. This condition has been modified as written below:

"Notify the Agency (217/782-3637) and Illinois ESDA (217/782-7860) if the emergency coordinator determines there has been a release, fire or explosion which could threaten human health or the environment, outside the facility."

Comment #43

Section III - Standard Conditions #40

This item contains a requirement that Safety Kleen update arrangements annually. That is not specified in the regulations. Safety Kleen believes this should be limited to updating arrangements as necessary due to significant changes at the facility or in local agencies.

Response:

The Agency feels that an annual update is necessary due to all of the changes that can occur in one year (i.e. personnel changes at Safety Kleen or the local authorities, modifications to the facility, changes in operating procedures, etc.). The annual update is also necessary to keep the local authorities familiar with the site and the hazards associated with responding to an emergency at the site. Therefore, the condition, as worded in the permit, will remain.

Comment #44

Section III - Standard Conditions #54(a)

This provision requires Safety Kleen to adjust the closure cost estimate for inflation 30 days after an anniversary date. Safety Kleen would like that revised to require necessary updates at the end of the fiscal year which is the timing now used.

Response:

Safety Kleen's comments are consistent with the requirements of 35 IAC 724.242(b). Therefore, the Agency has modified the condition accordingly.

Comment #45

Section III - Standard Conditions #41

Safety Kleen requests that the time period for a report to be submitted to the Agency be extended from 15 days to 30 days in accordance with 35 IAC 724.293(d)(3).

Response:

35 IAC 724.156 requires the owner or operator to submit a written report on any incident which requires the contingency plan to be implemented to the Agency within 15 days of its occurrence. Therefore, the condition, as worded in the permit, will remain.

Comment #46

Section III - Attachment D Section IV(A)

Item D(1) provides Safety Kleen only ten days from the effective date of the permit to submit a certification that the 10,000 gallon horizontal tank has been painted. That ten day period is not consistent with the earlier permit provision "C. Containment and Detection of Releases, Subparagraph 2(d)" which allows thirty (30) days from the effective date of the permit for painting. Following that thirty day period, Safety Kleen would then need additional time for the engineer to prepare the certification requested by the permit. At page 78 of the draft permit, Section IV.A specifies that this certification will be submitted within 60 days of the effective date of the permit. Therefore, Safety Kleen believes the time period should be set at sixty (60) days.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments. The Agency has also corrected the condition reference to read "IV(A)" instead of "D(1)".

Comment #47

Section III - Attachment D Condition V.B.

Under item E(2) there is a requirement to notify Emergency Response Teams when the Contingency Plan is implemented. Safety Kleen believes that this entry should be revised to state relevant or appropriate Emergency Response Teams so that it is clear that not all Teams may be needed each time the Contingency Plan is used.

Response:

The Agency has reviewed Safety Kleen's comment and feels that Conditions V.B(1) and V.B(2) of Attachment D clearly states which Emergency Response Teams must be notified when the Contingency Plan is implemented. Therefore, the condition, as worded in the permit, will remain. The Agency has corrected the condition reference to read "V.B." instead of "E(2)".

The Agency has made the following corrections to the condition references in Section III Attachment D:

- E(3) now reads V.C.
- E(4) now reads V.D.

Comment #48

Section V.13(a)

The second sentence of this paragraph requires Safety Kleen to use Appendix A of 35 IAC 721 sampling methods. Safety Kleen believes that this statement should be modified to be consistent with the final sentences in that same paragraph so that it is clear that other Agency-approved or Waste Analysis Plan methods are acceptable.

Response:

The Agency accepts Safety Kleen's comment and has modified the condition to indicate that it is acceptable to use sampling methods that are approved by the Agency. The last sentence of this condition has been modified, as written below, to address your concerns.

"...latest versions: or an equivalent method as specified in the approved Waste Analysis Plan or approved by the Agency."

Comment #49

Section V.19(a)

In this provision, the draft permit again includes a requirement to notify the Agency. Safety Kleen requests that the draft permit be clarified throughout to make it clear whether the Agency or IEMA or both are to be notified. As noted above, it is Safety Kleen's general practice to notify IEMA who then notifies IEPA. Safety Kleen would like to continue in that fashion if the final permit allows.

Response:

Condition V.B.1 of Attachment D in the draft permit requires Safety Kleen to notify IESDA and the Agency anytime the Contingency Plan is implemented. This condition simply iterates the fact that Safety Kleen must notify the Agency anytime the Contingency Plan is implemented. Therefore, the condition, as worded in the permit, will remain.

Comment #50

Section V.19(c)

This provision only allows Safety Kleen five (5) days to provide a written submission about releases or other emergency-type circumstances. Generally IEMA allows thirty (30) days for such reporting. On page 51, under paragraph 41, a fifteen day period is allowed for reporting. Both of these provisions should be consistent with each other and regulatory reporting requirements.

Response:

This condition is, word for word, a direct quotation of 35 IAC 703.245(b). The Agency does not have the authority to change a regulation. This condition does allow up to fifteen days for a report to be submitted to the Agency. Therefore, this condition, as worded in the permit, will remain.

Comment #51

Section V.41

Safety Kleen has made spill or leak reports to IEMA. Safety Kleen would like to continue in that practice. However, in any event, Safety Kleen would like the permit to clearly state whether both agencies are to be notified and reported to, or whether only one set of submissions is required.

Response:

35 IAC 724.156 requires the owner or operator to submit a written report on any incident which requires the contingency plan to be implemented to the Agency within 15 days of its occurrence. The Agency has already indicated in its response to Comment #49 that Safety Kleen must notify the Agency and IESDA anytime the Contingency Plan is implemented. Therefore, the condition, as worded in the permit, will remain.

Comment #52

Section V.44

The statement is made that the emergency coordinator shall be available at all times. The regulations stipulate that this coordinator shall be on the facility premises or on call at all times. 35 IAC 724.155. Safety Kleen requests that the language of this permit provision be modified to be consistent with that of the cited regulation.

Response:

35 IAC 724.155 requires the emergency coordinator to be "... on call (i.e. available to respond to an emergency by reaching the facility within a short period of time)..." The Agency feels the condition in the permit is consistent with the cited regulation. Therefore, the condition, as worded in the permit, will remain.

Comment #53

Attachment B - Table III

Safety Kleen would like the entry under the heading of

"Inspection Frequency" to read "Each operating day" instead of "Daily".

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #54

Attachment B - Table III

A requirement to test tank integrity on an annual basis is included under the item of Storage Tank. Once secondary containment is in place, as is the case at Peking, this annual retesting is not required. Therefore this requirement must be deleted from the regulations.

Response:

The Agency feels it is necessary to conduct an annual inspection of the tanks to ensure the integrity of the tanks as required by 35 IAC 724.115. Although ultrasonic testing will not determine localized areas of corrosion such as oxygen pitting, galvanic action, selective leaching and intergranular corrosion like an internal inspection, ultrasonic testing is an acceptable means to confirm rates of corrosion and will provide information on the overall integrity of the tank on an annual basis. When combined with an internal inspection conducted every 5 years, the Agency feels that this testing requirement meets the requirements of 35 IAC 724.115. Safety Kleen may propose to conduct two years of annual internal inspections to determine the rate of corrosion and access the presence of localized corrosion. Therefore, the condition, as worded in the permit, will remain.

Comment #55

Attachment B - Table III

A leak test is required on an annual basis for all ancillary equipment. With secondary containment that is not required. Safety Kleen assesses its tank system ancillary equipment as part of its routine periodic tank assessments. This requirement should be clarified to so state, or deleted from the permit.

Response:

A leak test of the ancillary equipment shall be conducted as a routine periodic assessment of the tank system. This test shall be conducted along with the ultrasonic test. The leak test will ensure the integrity of the ancillary equipment

(all of which is not within secondary containment). Therefore, the condition, as worded in the permit, will remain.

Comment #56

Attachment B - Table III

There is an item included as the Tank Truck loading/unloading area. Safety Kleen believes that the requirements listed relate to the return and fill station as opposed to the truck station. The company requests that this be clarified.

Response:

This section addresses the loading/unloading of waste to/from trucks into container storage, into tank storage, and the return and fill station. These areas need to be inspected as well as the permitted storage areas.

Comment #57

Attachment B - Table III

Safety Kleen requests that the daily inspection requirements be changed to "Each operating day" so that it is clear that the inspections are performed on the days the facility is open. Further, the regulations only require weekly inspections of container storage areas, so that while Safety Kleen conducts daily inspections on business days, it is not regulatorily required and should not be included in the permit.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #58:

Attachment D - Condition 1.A

This paragraph reflects an IEPA suspicion that the new formula immersion cleaner may be ignitable waste; a suspicion which Safety Kleen believes it has refuted through analysis. However, in an effort to proceed with permitting revisions, Safety Kleen has agreed to store the new formula immersion cleaner in an area NFPA rated for the management of Class II liquids. Therefore, this provision should be modified to state at the end that the immersion cleaner shall be stored in a location within the container storage warehouse that meets NFPA Class II material storage requirements.

Response:

Safety Kleen has provided data which indicates that the new formula immersion cleaner may be ignitable.

Comment #59

Attachment D - Condition II.A

This provision mandates that Safety Kleen keep records of each time the Contingency Plan is implemented in an incident log which is not part of the operating record. Safety Kleen is uncertain why these records must be maintained apart from the operating records, rather than as a distinct section within those materials. Safety Kleen requests that this provision be revised to allow Safety Kleen to maintain the records as a separate section within the operating records for the facility.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #60

Attachment D - Condition IV.A.

Under existing paragraph A, Safety Kleen is required to submit a certification showing that the inside of the 10,000 gallon tank has been painted, that certification is due 60 days from the effective date of the permit. However, as written, the permit does not include a date by which the Agency will have approved or be deemed to have approved that certification so that Safety Kleen can begin using the tank.

Safety Kleen would like this provision supplemented with the statement that within 30 days after submission of the certification the tank may be used unless the Agency has disapproved the submitted certification.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #61

Attachment D - Conditions IV.B and C.

Each of these paragraphs reiterates statements made and commented upon in other portions of the permit. Therefore, each of these statements may be detected as repetitious of other permit statements.

As to paragraph C, the statement made is simply not accurate

under the IEPA's regulations. A facility regulated under 35 IAC 724 is not regulated under 35 IAC 807 unless it has a non-hazardous waste disposal unit. The Peking Service Center has no such unit. Therefore, the reference to 807.201 is incorrect. The provision should be deleted from the permit since it is not consistent with the Agency's own regulations.

Response:

Comment #62

Attachment A - Condition V.A

As drafted, the provision would expand the spill response requirements beyond the regulatory preview. The third sentence of the paragraph should be modified to read:

"A spill requiring implementation of the Contingency Plan is any release of material outside the permitted unit, into or outside of the containment system that releases to the environment and that cannot be immediately cleaned up."

Response:

As drafted, the condition is well within the Agency's intent to protect human health and the environment in accordance with 35 IAC 724.137. The Agency conducted air modelling on wastes spilled at the facility. Although a containment system would prevent a spill from travelling off site, the containment system would not prevent a vapor plume from travelling off site. Therefore, the condition, as worded in the permit, will remain.

Comment #63

Attachment D - Condition V.B.

Under this paragraph Safety Kleen would have to file reports with local agencies each time a spill of one pound or more occurred, even for spills inside containment. It is Safety Kleen's experience that the local emergency response groups are not interested in these minor incidents. Safety Kleen believes this provision would serve the protective goal if it were modified to read as follows:

The Permittee shall contact the local emergency response entities immediately after implementation of the Contingency Plan unless the spill is less than one pound of waste immersion cleaner, or 50 gallons of spent antifreeze or mineral spirits and it is immediately contained and cleaned up; or the spill is not a threat or potential threat to human health or the environment outside the facility boundaries.

Response:

Computer modelling (ARCHIE) indicates that human health and the environment would be affected outside the facility boundaries when the waste identified in the condition are spilled in the specified amounts. The local emergency response entities must be notified if areas outside of the facility's boundaries are affected. Therefore, the condition, as worded in the permit, will remain.

Comment #64

Attachment D - Condition V.1-V.7

This provision imposes informational requirements on Safety Kleen for in excess of those required under the regulation cited in the introductory paragraph. 35 IAC 724.137 does not require that the detailed information listed under this provision be provided to response agencies; what IEPA is doing through the permit provision is attempting to expand Title III and Illinois Chemical Safety Act requirements of facilities which are explicitly not within the purviews of these statutes. This provision must be streamlined to be consistent with language and intent of 35 IAC 724.137 which requires Safety Kleen to familiarize response agencies with the lay out of the facility and its approaches, and the properties of chemicals managed at the facility. The items are covered in the Contingency Plan which will be provided to the agencies as contemplated by the regulations.

These provisions also limit Safety Kleen to 60 days for its submission. Safety Kleen would like language added providing that an extension may be requested if necessary under the circumstances of a given incident.

Response:

The information required by this condition is necessary so the local emergency response teams are completely familiar with the site layout and associated hazards with responding to an emergency situation at the site. The response teams need this information to take proper precautions when responding to an emergency at the site so as to lessen the chances of injuries. This information is also necessary so the response teams can evacuate the appropriate areas, if needed. The Agency does not see the necessity of more than 60 days to provide this information to the emergency response teams it was needed to prepare the contingency plan to conduct computer air modelling of accidents which may occur at the site. Therefore, the condition, as worded in the permit, will remain.

Comment #65

Attachment D - Condition V.C.

Safety Kleen does not handle reactive (D003) wastes at the Peking Service Center. Therefore, the reference to that waste code and the requirement to submit information concerning such wastes should be deleted.

Response:

The Agency accepts Safety Kleen's argument and has modified the condition accordingly based on these comments.

Comment #66

Attachment D - Condition V.D.

This provision requires Safety Kleen to provide documentation of various arrangements with local response agencies within sixty (60) days of the effective date of the permit. In Safety Kleen's experience a longer time period will be necessary to provide the type of information the IEPA is requiring. Safety Kleen suggests that the time period for submission be extended to 120 days to allow the Company and local agencies adequate response time.

Also, with respect to this paragraph, the opening sentence should be changed to recognize that at times local agencies are not prepared to enter into agreement or arrangements with waste facilities through no fault of such entities. The sentence should state that Safety Kleen will provide documentation to the Agency that shows attempts to have been made to make the agreements or arrangements. This is in accordance with the regulations and earlier statements of Agency position. The last line of the paragraph should also be modified to say that the arrangements and agreements which must be sought or attempted include; and then the listed elements would be stated.

Response:

In accordance with 35 IAC 724.152(c), the contingency plan must describe arrangements agreed to by local emergency response teams. The time is past that Safety Kleen should attempt to make agreements or arrangements with emergency response teams. These arrangements were needed for Safety Kleen to devise a contingency plan and include that plan in the permit application. Therefore, the Agency does not see the necessity of an additional sixty days to provide the requested arrangements or agreements and will not change the wording of the condition in the permit.

Comment #67

Attachment D - Condition V.D.2.

The last sentence states that agreements shall be made with surrounding agencies to provide support to the primary authority. That requirement must be modified to make it clear that this requirement only exists if there is more than one response authority in the area.

Response:

The Agency has reviewed Safety Kleen's comment and does not see the need for clarification. It is clear that if there is only one police department and one fire department responding to an emergency then an agreement does not need to be made with a department that does not exist.

Comment #68

Attachment D - Condition V.D.3.

This item attempts to require Safety Kleen to make arrangements with equipment suppliers. Safety Kleen would like clarification as to what type of equipment suppliers are meant and what arrangements are sought through this permit requirement.

Response:

The Agency is referring to the suppliers of any emergency response equipment which may be needed. The agreements which must be made include the type of equipment needed, the amount needed, how quick it can be supplied, etc.

Comment #69

Attachment D - Condition V.E.

The regulations require Safety Kleen to attempt to make agreements and arrangements with local response authorities and familiarize these entities with the facility and its Contingency Plan. However, the regulations do not require annual updates or meetings with these organizations. This permit provision extends beyond the regulatory requirements and therefore must be removed.

This same comment applies to the entry on page 28 of the permit which indicates Safety Kleen will provide an annual update. That entry should also be deleted from the permit.

Response:

The Agency feels that an annual update is necessary due to all of the changes that can occur in one year (i.e. personnel changes at Safety Kleen or the local authorities, modifications to the facility, changes in operating procedures, etc.). The annual update is also necessary to

keep the local authorities familiar with the site and the hazards associated with responding to an emergency at the site. Therefore, the condition, as worded in the permit, will remain.

Comment #70

Section III.A of USEPA Permit

The chart of wastes, waste numbers, and units needs to be revised to reflect the units and codes managed at the Peking facility.

Response:

This comment is directed towards the USEPA portion of the Part B Permit. The Agency does not have the authority to make the requested change. This request must be made to the USEPA.

Comment #71

Attachment E - Condition D.4.a.

In the introductory language it states that information will be provided "as it is available". That should be changed to read "if available" or qualifying language be added that if impacts are identified, Safety Kleen will determine the vertical extent and if required define the hydrogeology to the first aquitard below the deepest area of impact.

Response:

The Agency is aware that all of the information required in this condition may not be readily available. However, Safety Kleen is responsible for determining this information as it becomes available since it will be required to devise a RFI Phase III Workplan. Therefore, the condition, as worded in the permit, will remain.

B.1.4

RCRA FINAL PERMIT SIGN-OFF

BACKGROUND

FACILITY NAME SAFETY-KLEEN - PEKIN SERVICE CENTER
 (Owner/Operator)
 FACILITY LOCATION PEKIN, IL ID NUMBER ILD 093 862 811

TYPE OF PERMIT

☒ HSWA ☐ Post-Closure ☐ Class 3 Mod ☐ Other _____
☒ STORAGE ☐ TREATMENT ☐ BIF ☐ DISPOSAL
☐ Subpart X

REVIEW PACKAGE CONTENT

☒ Final Permit w/Attachments ☐ Administrative Record Checklist
☒ Response to Comments ☒ Administrative Record
☐ Facility Letter ☐ Other _____
☐ Letter to Commentors

APPLICABLE PERMIT CONDITIONS

☒ Land Disposal Restrictions ☐ Corrective Action
☒ Toxicity Characteristic ☒ Air Emissions
☒ Waste Minimization ☐ Other _____

CONCURRENCES

		INITIALS	DATE
1. PERMIT WRITER	Name: <u>EL</u>	<u>EL</u>	<u>8/19/93</u>
2. SECTION SECRETARY		<u>EL</u>	<u>8/26/93</u>
3. SECTION CHIEF		<u>MA</u>	<u>8/26/93</u>
4. TECHNICAL EXPERT (if applicable)			
5. RPB SECRETARY (logged only)		<u>LS</u>	<u>8/27/93</u>

If U.S. EPA public noticed the draft permit, the package must go through PMB for sign-off. Please cross out if not applicable:

RDS CHIEF

6. ASST. REG. COUNSEL (ORC)	Name: <u>M. Anastasio</u>	<u>MA</u>	<u>9/21/93 w/comments</u>
7. PERMIT COORDINATOR (ORC)	<u>J. Brooker</u>	<u>JB</u>	<u>9/21/93</u>
8. SWERB SECTION CHIEF (ORC)		<u>CS</u>	<u>9/21/93</u>
9. SWERB CHIEF (ORC)			
10. RPB SECRETARY	<u>LS proofed 9/21/93</u>	<u>LS</u>	<u>9/21/93</u>
11. RPB CHIEF		<u>LS/B</u>	<u>9/22/93</u>
12. OR SECRETARY		<u>76</u>	<u>9-22-93</u>
13. ASSOCIATE DIV. DIRECTOR, OR		<u>CS/B</u>	<u>9/22/93</u>
14. WMD DIRECTOR			

REVISED 3/92

SENT OUT 7/23/93



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

USEPA

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

217/524-3300

September 28, 1993

Safety-Kleen Corporation
1000 N. Randall Road
Elgin, Illinois 60123

Safety-Kleen Corporation
Pekin Service Center
Rural Route 3
Pekin, Illinois 61554

Re: 1790600011 -- Tazewell County
Safety-Kleen Corporation
ILD093862811
RCRA permit Log No. 96
RCRA Part B -- Administrative Record

Gentlemen:

Enclosed is a final RCRA Hazardous Waste Management Part B permit. The final permit decision is based on the administrative record contained in the Agency's files. The contents of the administrative record are described in 35 Illinois Administrative Code (IAC) Section 705.211

This final permit is divided into two permits: A RCRA permit issued by IEPA and a Hazardous Waste Management Permit issued by USEPA. The USEPA permit generally contains only those provisions and conditions raised pursuant to the Hazardous and Solid Waste Amendments of 1984 to RCRA (HSWA). The IEPA permit also enforces portions of HSWA where IEPA has authority to do so. The IEPA permit also enforces portions of HSWA where IEPA has authority to do so. Read both documents carefully. Failure to meet any portion of either permit could result in civil and/or criminal penalties.

Within 35 days after the notification of a final permit decision by the IEPA, the permittee may petition the Illinois Pollution Control Board to contest the issuance of the permit. The petition shall include a statement of the reasons supporting a review, including demonstration that any issues raised in the petition, were previously raised during the public comment period. In all other respects the petition shall be in accordance with the requirements for permit appeals as set forth in 35 IAC Section 105. Nothing in this paragraph is intended to restrict appeal rights under Section 40(b) of the Illinois Environmental Protection Act (35 IAC 705.212(a)).

Petitions for review of the USEPA decision must be submitted within 30 days after service of notice of the final USEPA permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may petition the Environmental Appeals Board to review only to the extent of the changes from the draft to the final permit decision. The procedures for permit appeals on the USEPA portion of the permit are found in 40 CFR 124.19.



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

RCRA Log 96 Part B

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

HAZARDOUS WASTE MANAGEMENT RCRA PART B PERMIT

IEPA #1790600011 -- Tazewell
USEPA ILD #093862811
Chicago/Safety-Kleen Corporation
Permit Log 96
RCRA -- Part B - Administrative Record

Issue Date: September 28, 1993
Effective Date: November 2, 1993
Expiration Date: November 2, 2003

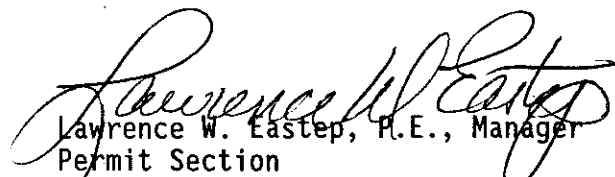
Safety-Kleen Corporation
1000 N. Randall Road
Elgin, Illinois 60123

Safety-Kleen Corporation
Pekin Service Center
R.R. #3
Pekin, Illinois 61554

A Part B permit is hereby issued pursuant to the Resource Conservation and Recovery Act, Illinois Environmental Protection Act, and Title 35 Illinois Administrative Code (I.A.C.) parts 702, 703, 705, and 720 through 729 to Safety-Kleen to maintain and operate a waste management facility involved in the storage of hazardous waste. Safety-Kleen Corporation is located at R.R. #3 in Pekin, Illinois.

This permit consists of the conditions contained herein (including those in any attachments and appendices) and applicable regulations contained in the Illinois Environmental Protection Act and Title 35 I.A.C. Parts 702, 703, 705 and 720 through 729 in effect on the effective date of this permit. The Environmental Protection Act (Ill. Rev. Stat., Chapter 111 1/2, Section 1039) grants the Illinois Environmental Protection Agency the authority to impose conditions on permits which are issued. This Permit contains 97 pages including attachments A through G.

If you have any questions regarding this permit, please contact Ron Harmon at 217/524-3300.


Lawrence W. Eastep, P.E., Manager
Permit Section
Division of Land Pollution Control
Bureau of Land

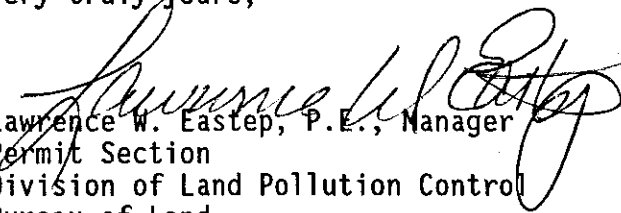
LWE:RH:sf/sp/794Y,2

Page 2

A copy of the Agency's response to significant comments on the draft permit are identified in Attachment A to this letter.

If you have any questions concerning this final permit, please contact Ron Harmon at 217/524-3300. If you intend to seek review of the USEPA issued permit, please contact USEPA, Region V -- Eda Lam at 312/353-4889 concerning the applicable review procedures.

Very truly yours,



Lawrence W. Eastep, P.E., Manager
Permit Section
Division of Land Pollution Control
Bureau of Land

^{Due}
LWE:RH:sf/sp/794Y,1

Attachments: Draft Permit, Fact Sheet

cc: USEPA Region V, George Hamper, w/attachments ✓



State of Illinois

ENVIRONMENTAL PROTECTION AGENCY

Mary A. Gade, Director

2200 Churchill Road, Springfield, IL 62794-9276

FINAL DECISION NOTICE

The Illinois Environmental Protection Agency provides notice pursuant to 35 Ill. Adm. Code 705.201 (c), that a final RCRA/HSWA hazardous waste permit was issued to the Safety-Kleen facility located in Pekin on September 28, 1993.

The applicant may petition the Illinois Pollution Control Board to contest this permit decision pursuant to 35 Ill. Adm. Code 705.212. Provisions of the U.S. EPA permit decision may be appealed to the Environmental Appeals Board in Washington D.C. pursuant to 40 CFR 124.19.

The deadline to appeal the IEPA permit decision is November 2, 1993.

The deadline to appeal the U.S. EPA permit decision is October 28, 1993.

For additional information on the appeal process or to receive a copy of the RCRA/HSWA permit decision or the IEPA response to comments, please contact:

Illinois Environmental Protection Agency
Office of Community Relations
Attention: Bradley Frost - #5
2200 Churchill Road
P.O. Box 19276
Springfield, Illinois 62794-9276
phone: 217/782-5562

Mr. Lawrence Eastep
 Manager, Permits Section
 Division of Land Pollution Control
 Illinois Environmental Protection Agency
 2200 Churchill Road
 Springfield, Illinois 62794-9276

HRP-8J

Dear Mr. Eastep:

Enclosed is a copy of the final Federal portion of the RCRA hazardous waste management facility permit for Safety-Kleen Corporation, Pekin Service Center, located in Pekin, Illinois (ILD 093 862 811). Please issue the enclosed Federal permit along with the State permit and an appropriate cover letter to this facility. The Permittee and any other interested parties should be advised of their appeal rights as indicated in the enclosed memorandum.

If you have any questions concerning this letter, please contact Ms. Eda Lam of my staff, at (312) 353-4889.

Sincerely,

George J. Hamper, P.E.
 Chief, Illinois Section
 RCRA Permitting Branch

enclosures

SIGNATURE/INITIAL CONCURRENCE REQUESTED - RCRA PERMITTING BRANCH (RPB)										
TYPIS	AUTH.	ILS CHIEF	INS CHIEF	MIS CHIEF	MN/WI CHIEF	OHS CHIEF	SWS CHIEF	RPB CHIEF	RCRA ASOC. DR	WASTE MGMT. DIV. DIRECTOR
		<i>[Signature]</i> 8/26/93						<i>[Signature]</i> 9/22/93	<i>[Signature]</i> 9/22/93	

[Handwritten]
 9/21/93

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
HAZARDOUS WASTE MANAGEMENT PERMIT

Name of Permittee: Safety-Kleen Corporation

Facility Name: Pekin Service Center

Facility Location: Street Address: RR #3

City, State: Pekin, Illinois 61544

EPA Identification Number: ILD 093 862 811

Effective Date: November 2, 1993

Expiration Date: November 2, 2003

Authorized Activities:

Pursuant to the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act (RCRA) of 1976, and the Hazardous and Solid Waste Amendments (HSWA) of 1984 (42 U.S.C. §6901, et seq.), and regulations promulgated thereunder by the United States Environmental Protection Agency (U.S. EPA) (codified in Title 40 of the Code of Federal Regulations (40 CFR)), Federal permit conditions (hereinafter called the permit) of the RCRA permit are issued to Safety-Kleen Corporation, Pekin Service Center (hereinafter called the Permittee), for the facility located in Pekin, Illinois.

The RCRA permit contains both the effective Federal permit conditions (contained herein) and the effective State permit conditions issued by the State of Illinois RCRA program authorized under 40 CFR Part 271 (hereinafter called the State permit). When both this permit and the State permit are effective, the Permittee has an effective RCRA permit which authorizes the Permittee to conduct hazardous waste management activities as specified in the RCRA permit.

Permit Approval:

On January 31, 1986, the State of Illinois received final authorization pursuant to Section 3006 of RCRA, 42 U.S.C. §6926, and 40 CFR Part 271, to administer the pre-HSWA RCRA hazardous waste program. On April 30, 1990, the State of Illinois also received authorization to administer certain specific portions of the hazardous waste program required under HSWA. Because the State of Illinois has not yet received authorization to administer the entire hazardous waste program requirements of HSWA, certain permit conditions must be issued by the U.S. EPA to address these requirements. These conditions are contained in this permit.

The Permittee must comply with all terms and conditions of this permit. This permit consists of the conditions contained herein (including those in any attachments) and the applicable regulations contained in 40 CFR Parts 260, 261, 262, 264, 266, 268, 270, and 124, and applicable provisions of HSWA.

**RESPONSE TO COMMENTS REGARDING THE RESOURCE CONSERVATION AND
RECOVERY ACT (RCRA) HAZARDOUS WASTE MANAGEMENT PERMIT
ISSUED TO SAFETY-KLEEN CORPORATION - PEKIN SERVICE CENTER
PEKIN, ILLINOIS
ILD 093 862 811**

INTRODUCTION

This response is issued pursuant to Title 40 of the Code of Federal Regulations (40 CFR) Section 124.17, which requires that any change(s) of draft permit conditions be specified along with the reason for the change(s); that all significant comments be described and responded to; and that any documents cited in the response be included within the administrative record.

Comments concerning the draft Federal portion of the RCRA permit were received from Safety-Kleen Corporation - Pekin Service Center, during the 45-day comment period. A request for a hearing was not received. The public comment period commenced on June 23, 1993, with a public notice in the Pekin Times. The notice requested public comments on the draft permit conditions for Safety-Kleen Corporation - Pekin Service Center, in Pekin, Illinois, and notified the public that a hearing could be requested to clarify any issues regarding the draft permit. During the public comment period, copies of the permit application, Federal and State draft permits, and Fact Sheets were kept at the Pekin Public Library, 301 South 4th Street, Pekin, Illinois 61801. The termination date of the public comment period was August 7, 1993.

CHANGES TO THE PERMIT

Comment: Safety-Kleen Pekin Service Center requested that waste codes D001, F002, F003, F004, F005 be added to the EPA Hazardous Waste Number, and that the waste storage shelter and 30-gallon drums be added to the Description of Units, as identified in Permit Condition III.A. to reflect the units and codes managed at the Pekin facility.

Response: The waste identification list under Permit Condition III.A. lists TC waste codes for which the Illinois Environmental Protection Agency (IEPA) has not received authorization to administer. The IEPA has authorization to administer the waste codes D001, F002, F003, F004, F005. Therefore, these waste codes will not be listed in the Federal portion of the permit. The waste storage shelter and the 30-gallon drums will be incorporated into the Description of Units.

DETERMINATION

Based on a full review of all relevant data provided to the U.S. EPA, the U.S. EPA has determined that the final permit contains such terms and conditions necessary to protect human health and the environment.

This permit is based on the assumption that the information submitted in the permit application, dated October 15, 1990, and in any subsequent amendments (hereinafter referred to as the application), is accurate. Any inaccuracies found in this information may be grounds for the termination, revocation and reissuance, or modification of this permit (see 40 CFR 270.41, 270.42 and 270.43) and potential enforcement action. The Permittee must inform the U.S. EPA of any deviation from or changes in the information in the submitted application as soon as the Permittee becomes aware of such deviation or changes.

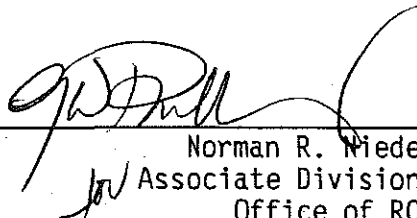
Opportunity to Appeal:

Petitions for review must be submitted within 30 days after service of notice of the final permit decision. Any person who filed comments on the draft permit or participated in the public hearing may petition the Environmental Appeals Board to review any condition of the permit decision. Any person who failed to file comments or failed to participate in the public hearing on the draft permit may petition for administrative review only to the extent of the changes from the draft to the final permit decision. The procedures for permit appeals are found in 40 CFR 124.19.

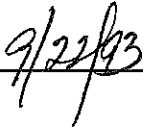
Effective Date:

The RCRA permit is effective when both this permit and the State permit are effective. This permit is effective as of the effective date specified on the previous page, unless a review is requested under 40 CFR 124.19. The permit shall remain in effect until the expiration date, unless revoked and reissued, or terminated (40 CFR 270.41 and 270.43), or continued in accordance with 40 CFR 270.51.

By: _____


Norman R. Niedergang
Associate Division Director
Office of RCRA
Waste Management Division

Date: _____



Safety-Kleen Corporation - Pekin Service Center
Pekin, Illinois

PERMIT INDEX

PERMIT CONDITIONS:

- I. Standard Conditions
- II. Land Disposal Requirements
- III. Toxicity Characteristic
- IV. Air Emission Standards
- V. Schedule of Compliance

PERMIT CONDITIONS

(Note: The regulatory citations in parentheses are incorporated by reference.)

I. STANDARD CONDITIONS

A. EFFECT OF PERMIT (40 CFR 270.4 and 270.30(g))

The Permittee is allowed to manage hazardous waste in accordance with the conditions of the RCRA permit. Any management of hazardous waste not authorized in the RCRA permit is prohibited.

Compliance with the RCRA permit during its term constitutes compliance, for the purposes of enforcement, with Subtitle C of RCRA, except for those requirements not included in the permit which become effective by statute, or which are promulgated under 40 CFR Part 268, restricting the placement of hazardous waste in or on the land. Issuance of this permit does not convey property rights of any sort or any exclusive privilege; nor does it authorize any injury to persons or property, any invasion of other private rights, or any infringement of State or local law or regulations. Compliance with the terms of this permit does not constitute a defense to any order issued or any action brought under Sections 3008(a), 3008(h), 3013, or 7003 of RCRA; Sections 104, 106(a), or 107 of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended (42 U.S.C. §9601 et seq., commonly known as CERCLA); or any other law providing for protection of public health or the environment.

B. PERMIT ACTIONS (40 CFR 270.30(f))

This permit may be modified, revoked and reissued, or terminated for cause as specified in 40 CFR 270.41, 270.42, and 270.43. This permit may also be reviewed and modified by the U.S. EPA, consistent with 40 CFR 270.41, to include any terms and conditions determined necessary to protect human health and the environment pursuant to Section 3005(c)(3) of RCRA. The filing of a request for a permit modification, revocation and reissuance, or termination, or the notification of planned changes, or anticipated noncompliance on the part of the Permittee does not stay the applicability or enforceability of any permit condition. The Permittee shall not perform any construction associated with a Class 3 permit modification request until such modification request is approved and the modification becomes effective.

C. SEVERABILITY (40 CFR 124.16)

The provisions of this permit are severable, and if any provision of this permit, or if the application of any provision of this permit to any circumstance is held invalid, the application of such provision to other circumstances and the remainder of this permit shall not be affected thereby.

D. DUTIES AND REQUIREMENTS

1. Duty to Comply. (40 CFR 270.30(a))

The Permittee shall comply with all conditions of this permit, except to the extent and for the duration such noncompliance is authorized by an emergency permit (See 40 CFR 270.61). Any permit noncompliance, other than noncompliance authorized by an emergency permit, constitutes a violation of RCRA and HSWA and is grounds for enforcement action, permit termination, revocation and reissuance, modification, denial of a permit renewal application, or other appropriate action.

2. Duty to Reapply. (40 CFR 270.30(b) and 270.10(h))

The Permittee shall submit a complete application for a new permit at least 180 days before this permit expires unless: a) the Permittee no longer wishes to operate a hazardous waste management facility; b) the Permittee is no longer required to have a RCRA permit; or c) permission for a later date has been granted by the Regional Administrator. The Regional Administrator shall not grant permission for applications to be submitted later than the expiration date of the existing permit.

3. Permit Expiration. (40 CFR 270.13, 270.14, 270.50, and 270.51)

This permit and all conditions herein shall be effective for a fixed term not to exceed 10 years, and will remain in effect beyond the permit's expiration date only if the Permittee has submitted a timely, complete application (per 40 CFR 270.10 and applicable sections of 270.14 through 270.29): a) to both the U.S. EPA and the State; and b) through no fault of the Permittee, the Regional Administrator and the State have not issued a new permit, as set forth in 40 CFR 270.51.

4. Need to Halt or Reduce Activity Not a Defense. (40 CFR 270.30(c))

It shall not be a defense for the Permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

5. Duty to Mitigate. (40 CFR 270.30(d))

In the event of releases or noncompliance with the permit, the Permittee shall take all reasonable steps to minimize releases to the environment and shall carry out such measures as are reasonable to prevent significant adverse impacts on human health and the environment.

6. Proper Operation and Maintenance. (40 CFR 270.30(e))

The Permittee shall at all times properly operate and maintain all facilities and systems of treatment and control (and related appurtenances) which are installed or used by the Permittee to achieve compliance with the conditions of this permit. Proper operation and maintenance includes effective performance, adequate funding, adequate operator staffing and training, and adequate laboratory and process controls, including appropriate quality control/quality assurance procedures. This provision requires the operation of back-up or auxiliary facilities or similar systems only when necessary to achieve compliance with the conditions of the permit.

7. Duty to Provide Information. (40 CFR 270.30(h) and 264.74)

The Permittee shall furnish to the Regional Administrator, within the time designated by the Regional Administrator, any relevant information which the Regional Administrator may request to determine whether cause exists for modifying, revoking and reissuing, or terminating this permit, or to determine compliance with this permit. The Permittee shall also furnish to the Regional Administrator, upon request, copies of records required to be kept by this permit.

8. Inspection and Entry. (40 CFR 270.30(i))

The Permittee shall allow the Regional Administrator, or an authorized representative, upon the presentation of credentials and other documents as may be required by law to:

- a. Enter at reasonable times upon the Permittee's premises where a regulated facility or activity is located or conducted, or where records must be kept under the conditions of this permit;
- b. Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit;
- c. Inspect, at reasonable times, any facilities, equipment (including monitoring and control equipment), practices, or operations regulated or required under this permit; and
- d. Sample or monitor, at reasonable times, for the purposes of assuring permit compliance, or as otherwise authorized by RCRA, any substances or parameters at any location.

9. Monitoring and Recordkeeping. (40 CFR 270.30(j), 270.31, 264.73, and 264.74)

The Permittee shall retain all reports, records, or other documents, required by this permit, and records of all data used to complete the application for this permit, for a period of at least 3 years from the date of the reports, records or other documents. These periods may be extended by request of the Regional Administrator at any time and are automatically extended during the course of any unresolved enforcement action regarding this facility.

10. Reporting Planned Changes. (40 CFR 270.30(1)(1))

The Permittee shall give notice to the Regional Administrator of any planned physical alterations or additions to the permitted facility, as soon as possible, and at least 30 days before construction of such alteration or addition is commenced.

11. Anticipated Noncompliance. (40 CFR 270.30(1)(2))

The Permittee shall give advance notice to the Regional Administrator of any planned changes in the permitted facility or activity which may result in noncompliance with permit requirements. Such notice does not constitute a waiver of the Permittee's duty to comply with permit requirements.

12. Transfer of Permits. (40 CFR 270.30(1)(3), 270.40(a), and 264.12(c))

This permit may be transferred by the Permittee to a new owner or operator only after providing notice to the Regional Administrator and only if the permit is modified, or revoked and reissued, pursuant to 40 CFR 270.40(b), 270.41(b)(2), or 270.42(a). Before transferring ownership or operation of the facility during its operating life, the Permittee shall notify the new owner or operator in writing of the requirements of 40 CFR Parts 264, 268, and 270 (including all applicable corrective action requirements), and shall provide a copy of the RCRA permit to the new owner or operator.

13. Compliance Schedules. (40 CFR 270.30(1)(5) and 270.33)

Reports of compliance or noncompliance with, or any progress reports on, interim and final requirements contained in any compliance schedule of this permit shall be submitted to the Regional Administrator no later than 14 days following each scheduled date.

14. Twenty-four Hour Reporting. (40 CFR 270.30(1)(6) and 270.33)

The Permittee shall report to the Regional Administrator any noncompliance with this permit which may endanger human health or the environment. Any such information shall be reported orally within 24 hours from the time the Permittee becomes aware of the circumstances. This report shall include the following:

- a. Information concerning the release of any hazardous waste which may endanger public drinking water supplies; and
- b. Information concerning the release or discharge of any hazardous waste, or of a fire or explosion at the facility, which could threaten the environment or human health outside the facility. The description of the occurrence and its cause shall include:
 - (1) Name, address, and telephone number of the owner or operator;
 - (2) Name, address, and telephone number of the facility;
 - (3) Date, time, and type of incident;
 - (4) Name and quantity of material(s) involved;
 - (5) The extent of injuries, if any;
 - (6) An assessment of actual or potential hazard to the environment and human health outside the facility, where this is applicable; and
 - (7) Estimated quantity and disposition of recovered material that resulted from the incident.

A written submission shall also be provided within 5 days of the time the Permittee becomes aware of the circumstances. The written submission shall contain a description of the noncompliance and its cause; the period(s) of noncompliance (including exact dates and times); steps taken to minimize impact on the environment; whether the noncompliance has been corrected, and if not, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate and prevent recurrence of the noncompliance. The Permittee need not comply with the 5-day written notice requirement if the Regional Administrator waives the requirement. Upon waiver of the 5-day requirement, the Permittee shall submit a written report within 15 days of the time the Permittee becomes aware of the circumstances.

15. Other Noncompliance. (40 CFR 270.30(1)(10))

The Permittee shall report all other instances of noncompliance not otherwise required to be reported above within 15 days of when the Permittee becomes aware of the noncompliance. The reports shall contain the information listed in Condition I.D.14.

16. Other Information. (40 CFR 270.30(1)(11))

Whenever the Permittee becomes aware that it failed to submit any relevant facts, or submitted incorrect information to the Regional Administrator in the permit application or in any reports, records, or other documentation provided to the Regional Administrator, the Permittee shall promptly submit such facts or information.

17. Submittal of Reports or Other Information. (40 CFR 270.30(1)(7), (8), and (9), and 270.31)

All reports or other information required to be submitted pursuant to this permit shall be sent to:

RCRA Permitting Branch, HRP-8J
Waste Management Division
U.S. EPA, Region 5
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

Attention: Illinois Section

18. All other requirements contained in RCRA, as amended, and in 40 CFR 270.30 not set forth herein are hereby fully incorporated in this permit.

E. SIGNATORY REQUIREMENT (40 CFR 270.30(k))

All reports or other information submitted to or requested by the Regional Administrator, his designee, or authorized representative, shall be signed and certified as required by 40 CFR 270.11.

F. CONFIDENTIAL INFORMATION

In accordance with 40 CFR 270.12 and 40 CFR Part 2, Subpart B, any information submitted to the U.S. EPA pursuant to this permit may be claimed as confidential by the submitter. Any such claim must be asserted at the time of submission in the manner prescribed on the application form or instructions, or, in the case of other submissions, by marking the words "Confidential Business Information" on each page containing such information. If no claim is made at time of submission, the U.S. EPA may make the information available to the public without further notice. If a claim is

asserted, the information will be treated in accordance with the procedures in 40 CFR Part 2.

G. DOCUMENTS TO BE MAINTAINED AT THE FACILITY

The Permittee shall maintain at the facility, until closure is completed and certified by an independent registered professional engineer, all items required by 40 CFR 264.73, including the following documents and all amendments, revisions, and modifications to these documents:

1. Waste Analysis Plan, as required by 40 CFR 264.13 and this permit;
2. Operating Record, as required by 40 CFR 264.73 and this permit;
3. Notifications from generators accompanying each incoming shipment of wastes subject to 40 CFR Part 268, Subtitle C, that specify treatment standards, as required by 40 CFR 264.73, 268.7, and this permit; and
4. Records regarding closed-vent systems and control devices and/or equipment leaks as required by 40 CFR 264.1035, 264.1064, and 264.73, and Condition IV.C. of this permit.

II. LAND DISPOSAL REQUIREMENTS

A. GENERAL CONDITIONS

1. The Permittee shall comply with all the applicable self-implementing requirements of 40 CFR Part 268 and all applicable land disposal requirements which become effective by statute (Section 3004 of RCRA).
2. A mixture of any restricted waste with nonrestricted waste(s) is a restricted waste under 40 CFR Part 268.
3. The Permittee shall not in any way dilute a restricted waste or the residual from treatment of a restricted waste as a substitute for adequate treatment to achieve compliance with 40 CFR Part 268, Subpart D, to circumvent the effective date of a prohibition in 40 CFR Part 268, Subpart C, to otherwise avoid a prohibition in 40 CFR Part 268, Subpart C, or to circumvent a land disposal prohibition imposed by Section 3004 of RCRA.
4. The Permittee shall prepare and maintain a current list of the hazardous waste codes handled by the facility that are identified in 40 CFR 268, Subparts B and C. The list shall include all waste codes handled by the facility, and any associated treatment standards, and shall be updated through the inclusion of new treatment standards, as promulgated or amended. This list shall be provided to the U.S. EPA representatives, or their designees, upon request.

B. TESTING AND RELATED REQUIREMENTS

1. The Permittee must test, in accordance with 40 CFR 268.7(a), any waste generated at the facility, or use knowledge of the waste, to determine if the waste is restricted from land disposal.
2. For restricted wastes with treatment standards expressed as concentrations in the waste extract, as specified in 40 CFR 268.41, the Permittee shall test the wastes or waste treatment residues, or extracts of such residues developed using the test methods described in Appendix II of 40 CFR Part 261 (Toxicity Characteristic Leaching Procedure, or TCLP) to assure that the wastes or waste treatment residues or extracts meet the applicable treatment standards of 40 CFR Part 268, Subpart D. Such testing shall be performed as required by 40 CFR 264.13.
3. A restricted waste for which a treatment technology is specified under 40 CFR 268.42(a) may be land disposed after it is treated using that specified technology or an equivalent treatment method approved by the Administrator under the procedures set forth in 40 CFR 268.42(b).
4. For restricted wastes with treatment standards expressed as concentrations in the waste, as specified in 40 CFR 268.43, the Permittee shall test the wastes or waste treatment residues (not extracts of such residues) to assure that the wastes or waste treatment residues meet the applicable treatment standards of 40 CFR Part 268, Subpart D. Such testing shall be performed as required by 40 CFR 264.13.
5. The Permittee shall comply with all the applicable notification, certification, and recordkeeping requirements described in 40 CFR 268.7(a) and (b).

C. STORAGE PROHIBITIONS

1. The Permittee shall comply with all the applicable prohibitions on storage of restricted wastes specified in 40 CFR Part 268, Subpart E.
2. Except as otherwise provided in 40 CFR 268.50, the Permittee may store restricted wastes in tanks and containers solely for the purpose of the accumulation of such quantities of hazardous wastes as necessary to facilitate proper recovery, treatment, or disposal provided that:
 - a. Each container is clearly marked to identify its contents and the date each period of accumulation begins; and
 - b. Each tank is clearly marked with a description of its contents, the quantity of each hazardous waste received, and the date each period of accumulation begins, or such information for each tank is recorded and maintained in the operating record at that facility.

3. The Permittee may store restricted wastes for up to 1 year unless the U.S. EPA or its authorized agent can demonstrate that such storage was not solely for the purpose of accumulating such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment or disposal.
4. The Permittee may store restricted wastes beyond 1 year; however, the Permittee bears the burden of proving that such storage was solely for the purpose of accumulating such quantities of hazardous waste as are necessary to facilitate proper recovery, treatment or disposal.
5. The Permittee shall not store any liquid hazardous waste containing polychlorinated biphenyls (PCBs) at concentrations greater than or equal to 50 ppm unless the waste is stored in a storage facility that meets the requirements of 40 CFR 761.65(b). This waste must be removed from storage and treated or disposed as required by 40 CFR Part 268 within 1 year of the date when such wastes are first put into storage. Condition II.C.4. above, that allows storage for over 1 year with specified demonstration, does not apply to PCB wastes prohibited under 40 CFR 268.32.

III. TOXICITY CHARACTERISTIC

A. WASTE IDENTIFICATION

The Permittee may store the following wastes in the designated units subject to all of the terms and conditions of the RCRA permit (including all federal and State permit conditions):

<u>Description of Hazardous Waste</u>	<u>EPA Hazardous Waste Number</u>	<u>Description of Units</u>
Spent parts washer solvent wastes	D004 - D043	20,000-gallon aboveground storage tank, or waste storage shelter.
Immersion cleaner	D004 - D043	Drums in container storage area
Paint wastes	D004- D043	Drums in waste storage shelter
Dry cleaning wastes	D004 - D043	Drums in container storage area or waste storage shelter
Spent antifreeze	D004 - D043	10,000-gallon aboveground storage tank, or in 30 or 55-gallon drums in container storage area

B. WASTE CHARACTERIZATION

The Permittee must use the Toxicity Characteristic Leaching Procedure (TCLP) (Appendix II of 40 CFR Part 261), or use knowledge of the waste to determine whether a waste exhibits the characteristic of toxicity, as defined in 40 CFR 261.24. Use of the TCLP does not exempt the Permittee from also using the Extraction Procedure (EP) toxicity test if required by the State permit conditions.

C. CONDITIONS REGARDING UNITS

All units described in Condition III.A. above shall be operated in accordance with the State permit conditions pertaining to those units.

IV. AIR EMISSION STANDARDS

A. PROCESS VENTS

The Permittee shall comply with all applicable requirements of 40 CFR Part 264, Subpart AA, regarding air emission standards for process vents.

B. EQUIPMENT LEAKS

The Permittee shall comply with all applicable requirements of 40 CFR Part 264, Subpart BB, regarding air emission standards for equipment leaks.

C. RECORDKEEPING

The Permittee shall comply with all applicable recordkeeping and reporting requirements described in 40 CFR 264.1035, 264.1036, 264.1064, and 264.1065.

D. NOTIFICATION OF REGULATED ACTIVITY

The Permittee shall notify the Regional Administrator of any waste management units which become subject to the requirements of 40 CFR Part 264, Subparts AA and BB, within 30 days of startup of the regulated activity.

E. DUTY TO COMPLY WITH FUTURE REQUIREMENTS

The Permittee shall comply with all self-implementing provisions of any future air regulations promulgated under the provisions of Section 3004(n) of RCRA, as amended by HSWA.

V. SCHEDULE OF COMPLIANCE

Air Emission Regulations

Notification of waste management units subject to the requirements of 40 CFR Part 264, Subparts AA and BB.

Due Date

30 days after startup of the activity.